



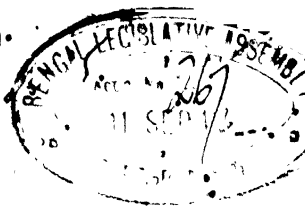








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**Official Report**  
**Béngal Legislative Assembly**  
**Second Session, 1937**

20th, 21st, 23rd, 24th, 25th, 26th, 27th, 28th  
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# THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

(Official Report of the Second Session.)

Volume LI—No. 3.

## Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 20th August, 1937, at 3.45 p.m.

### Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, the eleven Hon'ble Ministers and 219 members.

### STARRED QUESTIONS.

(to which oral answers were given)

#### Consumption of salt.

\*71. **Mr. ATUL KRISHNA CHOSE:** Will the Hon'ble Minister in charge of the Forests and Excise Department be pleased to state the present annual consumption of salt in Bengal?

**MINISTER in charge of FORESTS and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikat):** No exact estimate is possible, but on a rough estimate the annual consumption of salt in Bengal is about 80 lakhs of maunds.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state how much of this total amount consumed in Bengal was produced and manufactured in Bengal?

**The Hon'ble Mr. PRASANNA DEB RAIKAT:** I want notice.

**Instructions for the guidance of the subordinate civil courts.**

\*72. **Khan Bahadur JALAI UDDIN AHMAD:** (a) Is the Hon'ble Minister in charge of the Judicial and Legislative Department aware—

(i) that instructions in book form are issued by the Registrar of the High Court in the Appellate Side for the guidance of civil courts in districts;

(ii) that those instructions are, in practice, followed under the supervision of District Judges; and

(iii) that those instructions as interpreted by the District Judges adversely affect the discretion vested in the subordinate judicial officers by the Civil Procedure Code?

(b) If the answers to (a) are in the affirmative, are the Government considering the desirability of holding an enquiry into the matter?

**MINISTER in charge of JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur):** (a)

(i) The High Court has issued a book called "Manual of Practical Instructions for the Conduct of Civil Cases" for the guidance of subordinate civil courts.

(ii) This is presumed to be the case.

(iii) No.

(b) Does not arise.

**Babu NAGENDRA NATH SEN:** Under what authority has the Manual of Practical Instructions for the Conduct of Civil Cases been issued? Was it under section 121 of the Civil Procedure Code or under the Letters Patent or under the Government of India Act?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I want notice.

**Mr. SASANKA SEKHAR SANYAL:** Were not the High Court Civil Rules and Orders considered to be injurious to the administration of justice by the Bengal and Assam Lawyers' Conference?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I am not aware of that as I was not present at the conference.

**Babu NAGENDRA NATH SEN:** Has not the issue of the Manual raised a general feeling of discontent throughout the entire province?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I am aware of the discontent and I have seen several questions like these being put in the Old Legislative Council.

**Mr. DHIRENDRA NATH DUTTA:** Is the Hon'ble Minister aware of the fact that since after the instructions have been issued, adjournments are never allowed by the civil courts?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I am not aware of it, but it may be the effect of such rules.

**Babu NAGENDRA NATH SEN:** What steps, if any, have been taken by the Department for the redress of the grievances?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** So far as this is concerned, I have enquired about the defects of this manual and I have been told that this is generally objected to. Then I wanted to know whether the Department could point out to me the rules or parts thereof which were supposed to be defective. This, however, was not forthcoming. I shall take necessary action if it is brought to my notice that a particular rule or part of it has been the cause of some trouble.

### **Jute mills' strikes.**

**\*73. Maulvi ABUL QUASEM:** Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state—

- (i) the terms, if any, on which the jute mills strikes in May and June last were called off; and
- (ii) the assurances, if any, given by the Government in the matter of remedying the employees' grievances?

**MINISTER in charge of COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy):** (i) and (ii) There were no terms on which jute mills' strikes in May and June were called off. Most of the mills had gone back to work by the 7th of May and there was no general strike in progress at that time. Certain assurances were given by the Hon'ble the Chief Minister on that date. A copy of the assurances is laid on the table.

*\*Extract from the speech of the Hon'ble the Chief Minister on the 8th May, 1937, referred to in the answer to clauses (i) and (ii) of starred question No. 73.*

The employers have assured us that there will be no victimisation for taking part in the strike or in trade union activities. If a settlement is arrived at, and the workers agree to resume work, the chance of a breach of peace disappears, and with it the necessity for orders under section 144, Criminal Procedure Code, the imposition of which has been forced upon the Government by circumstances which the Government have all along deplored.

The Government are anxious that a peaceful atmosphere should prevail for a satisfactory and speedy settlement of all disputes and I

hope it will be possible to adopt a liberal policy regarding all cases arising out of the strikes. Some, however, of the demands of the labourers are such as require careful investigation and negotiation before they can be satisfactorily dealt with. The question of wages is one of them. Then there are the powers of the sardars and overseers in the matters of appointments and dismissals, which have given rise to grave abuses. In such and other cases there will be a thorough investigation, which will, I am confident, be satisfactory to all parties concerned.

I can give the assurance on behalf of the Government that no pains will be spared to help labour and capital to settle their long drawn-out disputes and create a better atmosphere for arriving at a lasting solution of labour's troubles."

**Mr. SIBNATH BANERJEE:** Is it not a fact that the assurance of the Hon'ble the Chief Minister implies his acceptance of certain terms so as to give the Government a chance of coming to a settlement?

**Mr. SPEAKER:** Order, order. You can draw your own conclusion from that but yours is not at all a question for the purpose of eliciting further information.

**Mr. SYED JALALUDDIN HASHEMY:** Has the Hon'ble Minister investigated a single case of grave abuse of power by the sardars and overseers after the general strike was called off?

**The Hon'ble Mr. H. S. SUHRAWARDY:** Yes, such instances have been brought to my notice.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Is the Hon'ble Minister aware that prolonged negotiations had taken place between the Hon'ble the Chief Minister and members of the strike committee?

**The Hon'ble Mr. H. S. SUHRAWARDY:** I am aware.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Is the Hon'ble Minister aware that on the 10th May last, when the strike was called off in pursuance of the terms of settlement, members and leaders of the strike committee were allowed to go to the strike areas despite prohibitive orders in order to call off the strike?

**The Hon'ble Mr. H. S. SUHRAWARDY:** Yes.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Can the Hon'ble Minister still say now that there were no terms of settlement?

**The Hon'ble Mr. H. S. SUHRAWARDY:** There were still no terms of settlement.

**Mr. SYED TALALUDDIN HASHEMY:** Was any case of grave abuse of power by seniors and overseers, been brought to the notice of the Hon'ble Minister?

**Mr. SPEAKER:** Order, order: He has already answered that question.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Is it not a fact that the withdrawal of the pending cases arising out of the strike was one of the terms embodied in the assurance as well as in the communique to the Members of the Strike Committee?

**The Hon'ble Mr. H. S. SUHRAWARDY:** I would call the Hon'ble Member's attention to the assurances where he will find that the withdrawal of cases was not one of the assurances given.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Do I understand that the Hon'ble Minister denies that the withdrawal of the pending cases was not in the terms of the settlement and, if so, is it not a fact that actual claims were put forward by the Hon'ble Minister that certain cases were to be withdrawn in pursuance of the settlement of the strike?

**The Hon'ble Mr. H. S. SUHRAWARDY:** It is very difficult to go on answering questions which have already been answered. Nevertheless I will still call the Hon'ble Member's attention to the statement: "I hope, it will be possible to adopt a liberal policy regarding all cases arising out of the strike." The Hon'ble Member knows fully well that this does not mean withdrawal of all cases.

#### **Cases of victimisation of workers in different jute mills.**

**\*74. Mr. SIBNATH BANERJEE:** (a) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state whether it is a fact—

- (i) that number of cases arising out of the last strike are pending in the different courts and have not yet been withdrawn;
- (ii) that over 400 strikers of Fort Gloster Jute Mills, Sepahi Singh of Fort William Jute Mills, 300 men in Nuddea Jute Mills, 300 men in Belvedere Jute Mill and 300 men in other mills have been victimised; and
- (iii) that the assurance regarding institution of a thorough enquiry in the working of the jute mills, has not yet been fulfilled?

(b) Do the Hon'ble Ministers concerned propose to implement the terms of settlement immediately?

(c) If the answer to (b) is in the negative, will the Hon'ble Minister be pleased to state the reasons?

**The Hon'ble Mr. H. S. SUHRAWARDY:** (a) (i) Yes.

(ii) So far as I am aware there have been no cases of victimisation.

(iii) I am making an enquiry into the conditions of labour in the jute mills.

(b) I am not aware of any terms of settlement. Certain assurances were given by the Hon'ble the Chief Minister on the 7th May, 1937, and these assurances have been amply implemented.

(c) Does not arise.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Is the Hon'ble Minister aware that a communication, dated the 14th July, was addressed to the Hon'ble the Chief Minister making a representation against victimization of workers in the Nadia and other Jute Mills?

**The Hon'ble Mr. H. S. SUHRAWARDY:** I remember that the Hon'ble the Chief Minister was pleased to forward such representations to me.

**Mr. SIBNATH BANERJEE:** Is it not a fact that 400 workers of the Fort Gloster Jute Mills were not taken back to work after the strike was called off?

**The Hon'ble Mr. H. S. SUHRAWARDY:** I am not aware of this, Sir, but I do know that so far as the Hon'ble Member himself is concerned he made representations in this connection. It was pointed out to him that if any of these strikers made representations personally first to the employers and then let Government know that their representations have been made, their cases would be looked into. So far as I am aware no such representation has been made by persons alleged to have been victimised.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Is it not a fact that within 7 days of the visit of the Hon'ble Minister to Kankinara, 126 employees of Anglo-India Jute Mills were dismissed?

**Mr. SPEAKER:** Order, order: that hardly arises out of the terms of settlement.

**Mr. NIHARENDU DUTTA MAZUMDAR:** But it has been said that there was no case of victimization and I am asking whether the Hon'ble Minister is aware that 126 workers of the Anglo-India Jute Mills were victimised?

**Mr. SPEAKER:** I can you tell me that this was as a result of the last strike?

**Mr. NIHARENDU DUTTA MAZUMDAR:** Yes, that is my contention.

**The Hon'ble Mr. H. S. SUHRAWARDY:** I do remember of my going to Kankinara; but I do not know when these persons were dismissed from the Anglo-India Jute Mills. I believe I have received a report that certain persons have been dismissed. So far as I am aware it has nothing to do whatsoever with the last strike, but it was due to indiscipline and disobedience on the part of the workers concerned.

### UNSTARRED QUESTIONS

(to which answers were laid on the table)

#### Posting of officer at the Eden Sanatorium, Darjeeling.

**1. Maulvi AFTAB HOSAIN JOARDAR:** (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether only a Bengal Medical Service officer is posted at the Eden Sanatorium, Darjeeling?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state—

- (i) the qualifications necessary for this post; and
- (ii) the name of the incumbent of the post?

**MINISTER in charge of PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Maulvi Syed Nausher Ali):** (a) and (b) (i) No. Until very recently a specially-experienced officer belonging to the Bengal Medical Service (Upper or Lower) possessing radiological training was performing the duties of Resident Medical Officer at the Eden Hospital and Sanatorium, Darjeeling.

- (ii) The present temporary incumbent is Dr. Yen Singh of the Bengal Medical Service (Lower).

### Principals of Training Colleges.

**2. Dr. H. C. MUKHERJI:** (a) Is the Hon'ble Minister in charge of the Education Department aware—

- (i) that of late members of the Indian Educational Service have been appointed as Principals of Training Colleges; and
- (ii) that experienced and trained officers, with administrative experience are available for such appointments?

(b) If the answer to (a) (ii) is in the affirmative, what are the reasons for appointing members of the Indian Educational Service?

**MINISTER in charge, EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. FAZLUL HUQ):** (a) Yes.

(b) The Principalships of Training Colleges being "Special posts" in the Indian Educational Service, i.e., posts with duty allowances attached, such Indian Educational Service officers as are eligible to hold them have preferential claims to such posts according to the orders of the Secretary of State.

**Dr. H. C. MUKHERJI:** Is the Hon'ble Minister aware that by appointing I. E. S. untrained officers as principals of the Training Colleges the work of the colleges is suffering materially?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware of that but I might make an enquiry.

**Mr. ABDUL BARI:** Is it in the contemplation of Government to appoint members of the B. E. S. as Principals of the Training Colleges.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** There is a proposal but it has not yet been decided definitely.

### Posts of Principals of Arts and Training Colleges.

**3. Dr. H. C. MUKHERJI:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether the posts of Principals of Arts and Training Colleges have been reserved for the members of the Indian Educational Service?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state—

- (i) what is the principle underlying the said policy of reservation; and
- (ii) the reason for not making any such reservation in respect of posts of Divisional Inspectors of Schools?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (a) Yes.

(b) (i) Certain posts which carried a special pay in addition to the ordinary emoluments of an officer were so reserved for members of the Indian Educational Service, by the Secretary of State for India. These are called special posts.

(ii) Because these do not carry the special pay referred to in (b) (i) above.

#### **Ministerial officers of the civil courts.**

**4. Mr. SERAJUL ISLAM:** (a) Is the Hon'ble Minister in charge of the Judicial and Legislative Department aware—

- (i) that the apprenticeship periods of a large number of ministerial officers of the civil courts are not counted towards their pension;
- (ii) that on the introduction of the system of time-scale of pay in 1922 the "period of apprenticeship" was abolished and in its place the "period of promotion" was introduced; and
- (iii) that for the officers appointed after 1922 their period of probation is counted towards their pension while those appointed before 1922 are for ever debarred from enjoying the said benefit?

(b) Do the Government intend taking any action with a view to placing the aforesaid two classes of ministerial officers on the same footing so far as the counting of their services before confirmation towards pension is concerned?

**MINISTER in charge of JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur):** (a)

(i) The apprenticeship period of those who entered service before 1922 does not count towards pension.

(ii) and (iii) Yes.

(b) No.

**Facilities for students of the schedule castes in schools and colleges.**

**5. Mr. RASIK LAL BISWAS:** Will the Hon'ble Minister in charge of the Education Department be pleased to state whether there is any scheme in the contemplation of the Government—

(i) for giving special facility to the students who are members of the scheduled castes, in schools and colleges, both in the general and technical branches; and

(ii) for giving better facilities to the qualified youths of the said community to join the services in the Education Department?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (i) Yes. A statement of such schemes is placed on the Library table.

(ii) There are already Government orders on this subject in so far as ministerial appointments are concerned. A copy of the circular is placed on the Library table. As regards posts in the teaching branch, claims of qualified candidates of the scheduled castes are duly considered.

**Mr. RASIK LAL BISWAS:** With reference to answer (i), is it in the contemplation of Government to provide special facilities for students of the scheduled castes in schools and colleges.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Representations have been received from members of the scheduled castes and the matter is under the consideration of Government. I might add that representations on this point would always be given the utmost consideration.

**Ranaghat-Jaguli Road project.**

**6. Dr. NALINAKSHA SANYAL:** (a) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(i) when was the Ranaghat-Jaguli Road project sanctioned;

(ii) what amount was allotted for the same each year since then;

(iii) when was the construction of the road taken in hand; and

(iv) at what stage is it now?

(b) Is it a fact that stone metals for the said road have been lying at the site?

(c) If the answer to (b) is in the affirmative, for how long is the same lying?

(d) When is the road likely to be completed and made available for public use?

**MINISTER in charge of COMMUNICATIONS and WORKS DEPARTMENT (The Hon'ble Maharaja Sris Chandra Nandy, of Kasimbazar):** (a) (i) In 1935.

(ii) In 1935-36, Rs. 80,000. In 1936-37, Rs. 30,000. The question of further allotment during the current financial year is under consideration.

(iii) In February, 1935.

(iv) Earthwork in raising the road is progressing. Collection of metal and softing bricks has been partly made. The work of constructing new culverts and bridges and improving the old ones is far advanced.

(b) Yes.

(c) The stone metals were collected in the dry seasons of 1935-36 and 1936-37. They are lying at the site since they were collected, as it has subsequently been decided to raise the road further by earthwork.

(d) It is expected that the road will be completed by the end of 1939.

**Dr. NALINAKSHA SANYAL:** With regard to Jaguli Rānaghat Road Project, will the Hon'ble Minister be pleased to state as to who will bear the loss due to the collection of the materials onwards lying by the side of the road from 1935-36?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I do not know whether there has been any actual loss.

**Dr. NALINAKSHA SANYAL:** Is it the view of the Hon'ble Minister that if road metals are lying by the side of a road for nearly two years, there will be no loss to anybody?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** It might or might not be.

**Dr. NALINAKSHA SANYAL:** Will the Government be justified in transferring the loss to the contractors or will they transfer it to their own department?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** As will appear from the replies I have given the delay was due to unavoidable reasons but from information I have got so far no complaint has been made about the loss of any metals.

# THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

## DEMAND FOR GRANT

### PART I.

#### 25—General Administration.

**Mr. SYED JALALUDDIN HASHEMY:** On a point of information, Sir, if this Congress Party proposes to take such a long time as 2½ hours, the balance of the time that will be saved will not be much for you to allow members of all groups to have a chance of expressing their view-points?

**Mr. SPEAKER:** I think Mr. Jalaluddin Hashemy should have patience before I ask the members to begin the discussion. I have made this preliminary arrangement in consultation with the Leaders of the different groups and in accordance with the wishes of the majority of all sections of the House. In view of the fact that there should be an effective debate on the budget cut motions, this being the first year, we have drawn up a programme which has been circulated to you. According to this programme the Congress Party will initiate the discussion taking two and a half hours and they will be followed by the Coalition Party for one hour, by the United Nationalist Party and scheduled castes for three quarters of an hour and by the Proja Party for half an hour. In two days we will have six hours time and I have already allotted 4½ hours. The balance will be an hour and a quarter and that would be available to other members who do not belong to any of the groups, subject of course, to the discretion of the Speaker. In case any party is left out, it will have one hour's time but the balance of the time will not be allotted to any definite group but to the remaining members. I might also inform the House that there are four motions which the Congress party proposes to take up.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,18,35,000 be granted for expenditure under the head "25—General Administration".

**Mr. MANMATHA NATH ROY:** I beg to move that the demand be reduced by rupees one hundred.

Sir, this is a token cut for the purpose of discussing the question of retrenchment of expenditure. The question of retrenchment has never

been seriously tackled by this Government. Retrenchment Committees were appointed, solemn promises were made by Government, but they all practically ended in smoke. The question has assumed a serious importance since the introduction of the present reforms in April last. Mr. N. R. Sarker may have the satisfaction to feel that he is the first elected Finance Minister of this Province. Mr. N. R. Sarker may entertain great faith in the immense possibilities of the present constitution, but he must not forget that he is also responsible to the people. The Hon'ble Mr. Nalini Ranjan Sarker in the course of his budget speech had remarked that it would take some years to come, to tackle the problem of national reconstruction. But I would ask him to look to the Congress Provinces. There the Congress Ministers who took office only the other day lost no time in tackling the problems of national reconstruction, and they have taken courage in both hands to proceed with the question of retrenchment. They came into office only a month and a half ago and within this short time they have done much more than what our Ministers have done during the last five months.

Sir, retrenchment is the only solution to a national reconstruction. Taxation has reached its farthest limit, and it is impossible to impose any further burden. Mr. Sarker's policy in regard to the present budget is in no way different and is not a bit different from the policy of his predecessor in office, Sir John Woodhead, to whom he has expressed his great gratitude. Now let us see what are the main provisions under the head "General administration." It will be noticed that the problem of retrenchment is not at all taken up; on the other hand there has been an increase to the extent of Rs. 25 lakhs over the expenditure of the last year. Whereas the expenditure during the last year was Rs. 1,37,26,000 the demand for the present year is Rs. 1,53,08,000 and there is a saving of Rs. 8,47,000 this year in respect of the general elections. That makes an increase of Rs. 25,00,000 over the figure of the last year. To this again, you will remember, as a result of the vote of this House on the Members' Salary and Emoluments Bill, must be added another 15 or 16 lakhs roughly. It will be noticed that this amount exceeds the amount which would have been necessary if the suggestion of the Government in that Bill had been carried out. You must remember how, in order to secure higher salaries for the Ministers themselves, higher salaries and emoluments had to be given to the Members. There could not have been a worse form of conspiracy and corruption. Let us see what the other figures are. Under the head "Ministers" the present figure is Rs. 3,61,000 in place of Rs. 2,90,000 under the head "Ministers and Executive Council Members" of last year. To meet the opposition to the appointment of so many as eleven ministers it was said that although there had been a larger number of ministers the total expenditure under the head would in no way increase but here it is patent that the increase has been by about one lakh. The second

increase is under Legislature. It is Rs. 3,15,000 in place of Rs. 1,65,000. In other words the figure has doubled itself. It appears that the Assembly requires Rs. 2,64,000 and the Council Rs. 51,000. In this connection I may suggest that there is no need for a second Chamber in this Province. It was not at all needed and it is not at all necessary. It was only thrust upon our shoulders. During the last few days we have noticed the same matter debated both in the Assembly and in the Council—

**Mr. SPEAKER:** Order, order. While I do not wish to rule out any discussion as to the opinion of the House on the position of the Upper Chamber I would only appeal to Members, so long as the Upper Chamber exists, to conduct the debate in such a manner as to maintain goodwill between the two Chambers.

**Mr. MANMATHA NATH ROY:** I did not mean any offence to the other Chamber or to its members—

**The Hon'ble Mr. H. S. SUHRAWARDY:** Sir, the existence of the Upper Chamber cannot be attributed to the Ministry and so far as retrenchment is concerned it is not within the province of this Government to make any retrenchment with regard to that Chamber. I submit therefore that the discussion is not relevant.

**Mr. SPEAKER:** It is really one of the most complicated points as to the way in which discussion should be carried on about the Upper House. I do not realise that there is a statutory provision of doing nothing at least for ten years in relation to the Upper House, but I do not think that that debars a member from making certain recommendation or representation to the Governor, Viceroy or to the Secretary of State. In view of that I hold that it is quite permissible in a general way, without disturbing the harmony that should exist between the two Chambers, to debate that point.

**Mr. MANMATHA NATH ROY:** During the last few days the same matter was discussed by the two Chambers at different hours even of the same day. What is needed is that the voice of the people should be expressed by their representatives. But for that purpose two Chambers are not at all needed.

With regard to the Civil Secretariat, I find that in place of Rs. 13,08,000, the revised estimate for the last year, the figure is Rs. 17,68,000 for the current year. This means an increase of about five lakhs. In this connection I would suggest that the Indian Civil Service should be provincialised. We have seen also that the members of the Provincial Service have served as District Magistrates, have

served in the Secretariat, with ability, zeal and efficiency and I do not think there is any necessity of retaining the Indian Civil Service any longer. It is only a relic of the ancient and antiquated days and there is no longer any necessity for retaining that separate service in the matter of the administration of the Government. My European friends may misunderstand my point of view but they ought not to forget—

**A member from the European Group:** I only smiled at his remark on the new Constitution Act.

**MR. MANMATHA NATH ROY:** The European members ought not to forget that the number of Indians in the Indian Civil Service is not inconsiderable. It is high time that retrenchment is effected in that direction.

There is another new item under this head—the Public Service Commission. It is one of the white elephants under the new Reforms and I do not know what efficiency will be gained in having a separate Public Service Commission.

Then, Sir, comes the item of "Commissioners." It may have been noticed by members of this House that it was only the other day that the demand for Commissioners was thrown out by the Assam Legislature. What are the functions that these Commissioners discharge? They are no more than conduit pipes from the District Magistrate to the Secretariat. A matter has to come from the District Magistrate to the Divisional Commissioner and from the Divisional Commissioner to the Assistant Secretary and then to the Secretary and from Secretary to the Minister. I do not see the fun of so many successive stages and the sooner the post of Commissioner is abolished it is a relief to the finances of the country.

The next item is "district administration," sub-head "other establishments"; there in place of Rs. 2,84,000 for last year there is a provision of Rs. 17,27,000. It is said that this excess is due to the expenditure which has to be incurred this year for the establishment of the Debt Conciliation Boards. Now, I cannot help saying in this connection that as Chairman of the District Board of Howrah I have noticed that the selection of members of the Debt Settlement Boards is not made on a right basis and that in the matter of selection of the members there is considerable scope for improvement.

Then, Sir, the pay of the officers and their allowances should gradually be reduced. Reduction to a large extent all on a sudden may cause hardship, but I would ask the members of this House to see what was done in Bombay only the other day. They effected a cut of Rs. 4½ lakhs from the head of "allowances to officers" drawing more than Rs. 75 a month. In some provinces there have been proposals for the

reduction of salaries on a graduated scale from 5 per cent. to 25 per cent. in the case of officers who drew salaries exceeding a certain amount. I would ask the Hon'ble Finance Minister to tell us when he proposes to introduce such reductions.

Now, one cannot but be amazed at the indifference of our Ministers in the matter of retrenchment. The Hon'ble Ministers must appreciate the change in the outlook which is almost universal—a change from an ideal of material power to an ideal of service. You must change your policy and you must take courage to move in a path not trodden in the past. You must not forget the pledges that you gave to your constituencies. You must not forget the undertaking that you gave them in the matter of reduction of emoluments and salaries. The Hon'ble Mr. Sarkar must not be so very anxious for "circumspection." (This is the word that he used in his budget speech.) The Hon'ble Mr. Fazlul Huq must not be so very anxious for "careful handling." I say, take courage in both hands and with determination and grit proceed to tackle the problem of national reconstruction. You have the power. I believe it is beyond controversy that our Chief Minister has promised *dal* and *bhat*. You must proceed to finance adequately the nation-building departments which are simply starving. You have to shun your indifference to this vital problem. You have to face the verdict of the country and do not believe that your seats in the Treasury Bench are absolutely safe.

**MR. SPEAKER:** I may say at this stage that it must not be misunderstood that because the Congress group has initiated the debate, other parties cannot participate in it. I may tell the House that although the Congress party began the debate, other sections are not debarred from taking part in it. Mr. Goswami, I would like to have the names of your group in order, so that I may at the earliest opportunity give them a chance.

**MR. TULSHI CHANDRA COSWAMI:** I will not give you many names because there are some cognate subjects which are grouped together.

**MR. SPEAKER:** So far as this amendment is concerned it involves all other amendments which deal with the same issue.

**RAI HARENDRA NATH CHAUDHURI:** May I have my motion No. 7?

**MR. SPEAKER:** No, your amendment is covered by the motion under discussion, so your purpose will be served if you speak on this motion.

## ALPHABETICAL LIST OF MEMBERS.

xv

### Y

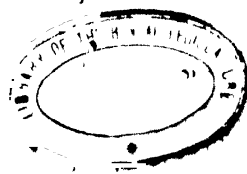
Yusuf Ali Choudhury, Mr. [Faridpur East (Muhammadan).]  
Yusuf Mirja. [24-Parganas Central (Muhammadan).]

### Z

\*Zahur Ahmed Choudhury, Mr. [Malda North (Muhammadan).]  
Zaman, Mr. A. M. A. [Hooghly *cum* Serampore (Registered  
Factories) Labour.]

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\*Ceased to exist as a member of the Bengal Legislative Assembly from the 31st August, 1937.





**Rai HARENDRA NATH CHAUDHURI:** Sir, after the able and elaborate speech of my honorable friend Mr. Manmatha Nath Roy I think I have very few words to add to this discussion. India with all its provinces has been presenting since the last century the rare spectacle of a poor country saddled with one of the most expensive administrative systems in the world. Since the inception of the Indian National Congress, Sir, president after president, whether Hindu or Moslem, Barsi or Christian, even in the days of moderate ascendancy was pleased to draw the attention of the Government to the high administrative expenditure prevailing in the country. Since the days of Ranade or Digby or Dutt there has been no writer on Indian economics and finance of note who has not dwelt on the point and has not criticised the Government of the day for its indifference to the question of high administrative expenditure. Sir, even inside legislatures, legislators after legislators since the days of Gokhale have also drawn the attention of the Government to this matter. When this question passed from the Legislative Chambers to the public platform naturally voices of protest became more indignant and demands for retrenchment more insistent. Yet, however persistent may have been the popular agitation against this extravagant administrative expenditure, the Government attitude has always been one of indifference and non-chalance. They have never cared to understand the public point of view and have never considered the question of retrenchment seriously. Even when after the introduction of the Montagu-Chelmsford Reforms there was deficit budget after deficit budget and budgets had to be balanced by imposing new taxes, retrenchment committees were formed, just to lead us to think that real retrenchment would be effected but their recommendations were never sufficiently heeded. Soon after the Montagu-Chelmsford Reforms the first retrenchment committee was appointed by the Government with Sir Rajendra Nath Mookerjee as Chairman of that Committee. That committee recommended a total retrenchment of Rs. 1.65 lakhs taking all departmental expenditures into account, and so far as General Administration is concerned they recommended in particular a retrenchment of Rs. 17½ lakhs but, Sir, as soon as the purpose of the Government was served, namely, the new taxes that had to be imposed began to operate and revenue--receipts went up and the remission of provincial contribution to the Government of India was obtained, there was a change and the large promises of reduction or retrenchment faded away or rather they lapsed into smooth excuses only. Sir, despite the recommendations of Sir Rajendra Committee expenditure under head of General Administration alone progressed by so much as 24.42 lakhs between 1921 and 1929-30. Then, Sir, when after 1929 the world entered upon an unprecedented period of economic depression and every head of our budget received a rude shock and receipts began to drop abruptly, then another Retrenchment Committee was thought of and in 1932 the Second Retrenchment Committee was

appointed by the Government not with any non-official Chairman who could be in favour of any such catastrophic retrenchment as the abolition of the posts of Commissioners and such other things, but an I.C.S. Chairman was appointed and the Chairman was no other than Mr. Swan who had inside knowledge of the administration. The Swan Committee again recommended a retrenchment of 17.89 lakhs, or something like that so far as General Administration alone was concerned. Again, Sir, those recommendations went unheeded and we find that in spite of those recommendations the expenditure under head "General Administration" went up by 16.24 lakhs between 1929-30 and 1937-38. So during the previous period of Reforms expenditure under "General Administration" alone had gone up by 24.16 plus 16.24 that is by 40 or 41 lakhs. That is, Sir, the explanation of my eagerness to have this motion tabled. Not only that. Sir, we know that there is not a single member on the Treasury Bench to-day who is not aware of these recommendations. Many of them were on the non official benches when these Committees sat and recommended. So we could have expected and reasonably expected that those recommendations would be kept in view in framing this budget and making demands for expenditure. But, Sir, we see that the present Hon'ble Ministers—whether the Finance Minister or the Home Minister or any of their colleagues—are behaving altogether like new men in their places as if they are quite unaware of all these things. On the contrary, Sir, we see some very ominous indications of their attitude. For instance both the retrenchment committees recommended that the Cabinet should be a very small cabinet of four or five members: instead of that we see here a cabinet of 17 members. Take another point. The Swan Committee recommended that the post of the Deputy President should carry no salary at all: in place of that we have provided some 3,000 rupees—

**Mr. SPEAKER:** May I just interrupt for a moment? You cannot discuss the question of emolument because that is a matter of decision by this Legislature and does not lie with Government. You cannot say that it is the result of Government policy unless you can show that Government is responsible for the same and this Legislature is not. I hope you will realise this.

**Rai HARENDRA NATH CHAUDHURI:** Therefore we see that there are ample reasons for coming to the conclusion that the present Government is determined to move on old lines and there is absolutely no change in its angle of vision. With these words, Sir, I resume my seat.

**Mr. DEBI PROSAD KHAITAN:** Mr. Speaker, Sir, I must confess that it is with a great deal of hesitation that I have risen to take

part in this discussion. The objection of the retrenchment that this House is asking for is for the purposes of carrying out activities which would benefit the nation at large. During the general discussion of the Budget, Sir, I expressed the hope that the Cabinet would give us some indication of what nation-building activities they were to carry out during their administration. It is, Sir, a matter of regret that neither in this House, nor by means of communiqué published in the papers, no member of the Government has given us the slightest idea of what nation-building activities they intend to carry out during their administration. Consequently, Sir, I find a great deal of difficulty in carrying on discussions in connection with the Budget. At the same time, Sir, it cannot be forgotten that there are many kinds of activities which are well-known that the Cabinet has to carry out in order to benefit the people at large: industries have to be spread, agriculture has to be improved, education has to be carried in larger measure, medical and sanitation reliefs have got to be given to the people. For all these purposes money is required. It is quite true, Sir, that the Budget has shown a surplus of 34 lakhs of rupees. After all the Bills that we have passed in this House I do not know, Sir, how much is left of the 34 lakhs of rupees at the present stage, but even assuming that 34 lakhs would still be left to us I consider that the money thus left will be found to be too short for the purpose of carrying out those beneficent activities for which people are clamouring. Then how are those activities to be carried out if retrenchment be not effected in regard to the administration of this province? Sir, I doubt whether there is a single Minister present here who has not in the course of his public life insisted on retrenchment being carried out in regard to administration of this province and Sir, this House is entitled to know from Government as to what steps they intend to take to carry out the things that they demanded in the course of their public career before they became Ministers. I believe, Sir, that before this debate is finished we shall get some indication of what the Ministers intend to do in order to make money available for the purpose of the nation-building activities before they resort to additional taxation. I do not know how much room there is for the purpose of levying additional taxes from the people. I am myself a believer in the belief that there is not much scope for any additional taxation. If nation-building activities are to be carried out it must be done by means of retrenchment on the existing administration of the province. When, Sir, we ask for retrenchment, we certainly do not ask for retrenchment in the total expenditure, for it would please us all if the total expenditure could be increased much beyond the present extent but that the expenditure should be incurred in nation-building activity and not simply in carrying on the Judicial administration or the Police administration or similar administration of the province. It is not, Sir, the strength of

votes that will keep the Ministry alive either in this province or anywhere else. It is on the strength of the nation-building activities that they take up in launching upon new programmes for the benefit of the people that they will demonstrate their efficiency. It is on these programmes that their strength and their life will ultimately depend. I doubt not, Sir, that it is because of the shortness of time that has been at the disposal of the Ministry that they have not been able to tell us so far what programmes they have in their minds, but I hope, Sir, that before this discussion is finished this House will be told what is their programme both as regards retrenchment of existing expenditure and as regards increased expenditure on those activities to which we are looking forward. There are several items of retrenchment and one has been mentioned by Mr. Manmatha Nath Roy, namely, the abolition of Commissioners of Divisions. I believe, Sir, I am entitled to state that even the old Government admitted repeatedly that the Commissioners of Divisions are no longer required. That post was created at a time when the whole province was administered by the Lieutenant Governor with the help of a few Secretaries; after that, Sir, the Executive Councillors and Ministers numbering seven with the help of an additional number of Secretaries used to carry on the administration. Now, Sir, we have eleven Ministers and perhaps we shall have 11 Parliamentary Secretaries and 11 Parliamentary Under-Secretaries with the help of whom and with the help of Secretaries they can certainly carry on the administration of the province in a much better manner than the Lieutenant Governor could do with the help of the 4 or 5 Commissioners that he had. I hope the Ministry will soon decide to abolish the Commissioners that still exist as a relic of the past and for whom nobody can claim that there is much use. Similarly, Sir, the Ministers, if they investigate properly, will find that there is expenditure in other directions that can be cut down either by appealing to the Secretary of State, for example, in regard to the Lee Concessions, or there might be other expenditure which they can control themselves. But in any event, Sir, whether they affect the present salaries of the I. C. S., or other superior services or not, it is the duty of the Cabinet to see that retrenchment is exercised in order that money may be available to benefit the people at large.

At this stage the House was adjourned for 15 minutes.

*(After Adjournment.)*

**Mr. SHAH ABDUR RAUF:** Sir, with the reforms of 1937 everybody expects that something will be done to ameliorate the condition of masses, to give them medical relief, to drive away ignorance

by the introduction of primary education and all that. During the days of the Montagu-Chelmsford Reforms everybody cried hoarse for the improvement of the nation-building departments; but unfortunately the Ministers in charge of the nation-building departments in those days could not do much to ameliorate the condition of the people. With the advent of the new reforms everybody expects that this time at any rate the nation-building departments will not be starved but that they will be sufficiently well fed, so that it will really be found that something is being done for the improvement of the masses. Sir, we require money for agriculture, primary education, and for giving medical relief to the people. But where is the money to come from? We have seen in the Budget that there is a small surplus and a portion of which has been taken away by the Bills recently passed by the Assembly in this session. We require money for the departments of Agriculture, Education, Public Health and Industries. But the question is where are we to get the money from. Sir, taxation is out of the question. If you begin the reforms with taxation, in no time you will become unpopular and you will not be able to face your constituency at the next election. Therefore, the only course is to find money from somewhere, perhaps from the receipt side and then to utilise it in the best possible way. So on the question of retrenchment I wholeheartedly support the cut motion of my friends.

Sir, there are various departments which require overhauling. If you take the Education Department, I think we shall find that there are some redundant posts. I may say that the posts of the Sub-divisional Inspectors of Schools may be very conveniently abolished and a number of sub-inspectors increased in order that efficient supervision may be exercised over the primary schools.

Sir, much has been said about the abolition of the Divisional Commissionerships. Those who were in the first term of the old Council know that since 1921—when I had the honour of being a member—there has been much more talk about doing away with the posts of the Divisional Commissioners. Long 16 years have passed but nothing substantial has been done. Therefore it lies with the Cabinet to see how far they can accede to the wishes of the House, to do away with the Commissionerships. Many questions will arise as to how to utilise the staff of the Commissioners. These are very serious questions which will require to be seriously considered by the Cabinet before they can do anything in this matter.

Sir, in the Police Department I would suggest that the posts of the Deputy Superintendents may be conveniently abolished and the duties now performed by them may well be done by the Inspectors and the necessary number of Inspectors be increased.

Sir, as regards Circle Officers, I should also think that they are unnecessary. They are nothing but friends, philosophers and guides of the President Panchayats. Their main duties lie in checking the accounts of the union boards which can very conveniently be done by auditors of the Co-operative Department at much lower cost. There are many items in the Budget which if gone through carefully may be cut down and money can be saved if due consideration is given to them. Then when it is the wish of the House that there should be some retrenchment in order that money may be saved for nation-building departments, I think it is the duty of the Cabinet, if I may say so, just to appoint a committee to find out what retrenchments are possible in the expenses of the administration. Otherwise the Cabinet will be unpopular and attempts are being made from some quarters to make the Cabinet unpopular. But we are here to see that the Cabinet works properly and catches the imagination of the people. Therefore money must be saved somehow, so that the Ministry may show that something tangible has been done and the people will see that they have got a set of Ministers who are anxious to do them good.

Sir, there are many things which should be considered by the Retrenchment Committee. Therefore I hope that the Cabinet will be pleased to appoint a retrenchment committee very shortly consisting of both officials and non-officials, so that enough money may be saved to foster education and give medical relief to the people. About primary education I would say that everyone almost all of us, here have given a pledge to our constituency that we will see that the Primary Education Act is introduced very soon. Sir, it is nearly six years since the Primary Education Act was passed; nothing unfortunately has been done. Only some school boards have been established and this state of things should not continue, as nothing can be done without money. I would therefore request the Cabinet to see that the Primary Education Act may be given effect to immediately, without taxation. The Hon'ble Nawab Bahadur of Dacca in his speech delivered in May last at the Town Hall of Rangpur said that the Primary Education Act would be brought into force without any further taxation. Of course, it has not been possible for him to do anything owing to circumstances over which he has no control. Everybody gave some sorts of hope to the people and it is time that these hopes should be fulfilled. I understand the Cabinet has got great difficulties to overcome. I understand that the Cabinet is hampered in its work. My learned friend, Mr. Khaitan, has complained that he has not seen a programme of their work. Of course they have not got a direct programme, but I think they will adopt the programme which has been outlined by the coalition group. I sympathise with the Cabinet because the Ministers have not had time enough during the last five months to really look to these things, as they were disturbed by the Opposition. I would ask the

Opposition to allow the Cabinet sufficient time and after that period if they do not show any willingness to ameliorate the condition of the people, we shall join hands—(Mr. SANTOSH KUMAR DASU: Will five years do?) with the Opposition.

• **Mr. SPEAKER:** Henceforth 10 minutes will be given to each speaker.

• **Dr. NALINAKSHA SANYAL:** Sir, I rise to accord my whole-hearted support to the cut motion proposed by my Hon'ble friend Mr. Manmatha Nath Roy. I do this as much to draw the attention of this House to the Congress programme of administering the affairs of the State with the utmost possible economy as to draw your attention to the demands of the various groups and sections of our countrymen, of whatever creed and whatever caste they belong to and of the people at large in the villages as well as in the towns of Bengal. This has been a demand, Sir, which has been put forward year in and year out both in the old legislature as well as the legislature even before that, because we have all felt and felt very keenly that the system of administration introduced in India by the British has been one of an extremely unbalanced character. My esteemed friend, Mr. P. N. Banerjee, laid before you a few days ago the comparative expenditure incurred in Japan, France and some other progressive countries; and compared with that the expenditure that we have incurred in India appears to be nothing short of a sheer wastage. I draw attention to the need for economy and retrenchment as much to finance the beneficent activities as to stop wastage of people's resources in directions that can be prevented. I have just drawn up a few statistics of expenses on some heads during the last few years. I would like the House to see how in spite of insistent demands from time to time the expenditure on certain departments has gone up very much beyond reasonable limits.

With regard to General Administration, the expenditure in 1917-18 was only Rs. 25,83,000; that expenditure suddenly jumped up after the Montagu-Chelmsford Reforms was introduced, and in 1927-28 it came up to Rs. 1,17,44,000. By 1937-38 it has soared up so high as Rs. 1,53,00,000. The expenditure on Jails in 1927-28, i.e., 10 years ago amounted to Rs. 33,99,000. This year the budget provision is Rs. 44,49,000. Under Police, the department which I dare say has been very greatly criticised year in and year out for the huge wastage of resources, the expenditure in 1917-18 was Rs. 1,26,00,000 only; in 1927-28 it went up to Rs. 1,85,00,000; now it has soared up to Rs. 2,28,00,000. Though there has been a small saving or a small retrenchment of Rs. 70,000 this year, yet, compared with the previous increase the reduction is absolutely illusory.

Sir, in the Beneficent departments on the other hand, i.e., the departments that go to build the nation and the departments for strengthening which the country has been crying hoarse from time to time, we find on the contrary a very sad tale of negligence—negligence reflected almost in every sphere.

Sir, in 1917-18 the provision under "Education" was Rs. 81,00,000; in 1927-28 it went up to Rs. 1,37,86,000; and in 1937-38 it still remains near that figure, namely, Rs. 1,37,70,000. In fact, if the total amount is calculated we find that there has been a slight drop by Rs. 16,000 under this head from 1927-28 to 1937-38. If, during the last 10 years, this has been the achievement, of course, God will only help us and our poor population who are clamouring for primary education and an extension of the facilities that can most naturally be demanded by people when they think of self-government.

Sir, under Medical relief there has been an increase of 5 lakhs only—I have combined the Medical and Public Health heads together, because these two are allied.

Sir, under Agriculture and Co-operation the amount provided in 1927-28, i.e., 10 years ago was Rs. 22 lakhs. It has gone up to Rs. 25,68,000 and that also includes the new provision for Debt Settlement Boards and some additional expenditure which has been provided for various things which really do not come under the category of permanent and recurring improvement grants.

Under 'Industries' again, the amount has gone up from nearly 11½ lakhs in 1927-28 to Rs. 16,69,000 and under 'Civil Works' the expenditure has gone up from Rs. 1,11,00,000 in 1927-28 to Rs. 1,31,00,000. We have been told in reply to a question put by me to the Hon'ble the Finance Minister a few days back that on account of the new Reforms that have been introduced there has been a regular increase in recurring expenditure to the extent of Rs. 19,00,000 in this province, and so far as this year is concerned there has been an additional expenditure provided for bringing up that total to the extent of Rs. 20,56,000. I submit, Sir, that the need for economy and retrenchment was never felt more keenly than to-day, when on account of the expansion of democracy we have to provide for new things and services, and when for the Upper House and for this House, for the Ministers' and members' salaries we have to find additional money from some source or other. I am not criticising the decision of this House as to the payment of salaries to members or provision of high salary for the Hon'ble Ministers and other officers of the State. I submit, Sir, that the need for economy has been all the greater because extra expenditure has become necessary. I say that in addition to these, we find that there are numerous other possible items for which demands may be made but which are not now before us and for which the Budget does not make any provision just now. We apprehend that in course

of time—in two or three months' time—we should have a supplementary budget brought up before this House. I realise that there may be a clamour for building another House for the Upper House, and an amount for that purpose may be demanded from us. I realise that, as the Hon'ble Mr. Sarker himself has pointed out, there has been no provision in the present Budget for additional expenditure on the salaries of members and for increased provision for the salaries of Ministers. That, also, will have to be provided for. Taking all these things into consideration, Sir, it would perhaps not be very wrong for me to assume that the total expenditure under this head would go up nearly to half a crore, by the end of this year; and in order that there should be no undue pressure upon the poor tax-payers of this country, it is very necessary that there should be retrenchment started straightaway. I submit that when we demand this economy and retrenchment, there is not the slightest desire on our part to accuse the present Cabinet for any negligence on their part, nor for the actions of the late Government. I submit that as yet it is a question of omission and not one of commission. I find that there is a good lot for the present Government to do. Let us hear to-day from the Ministry on the floor of this House what they propose to do with regard to retrenchment. I must also submit in the same connection that mere promises or assurances will not do. We would like that these promises are implemented definitely by some action or other. We have had from the lips of the Hon'ble the Finance Minister long promises about this question of retrenchment, but at the same time he has said that nothing could be done immediately. Well, there are difficulties; there will be difficulties. If the Hon'ble Mr. Sarker is prepared to take this House into his confidence, let him appoint, as my friend on the other side, who is a supporter of the present Government, pointed out—let him take the House into his confidence and proceed to retrench expenses at once and straightaway, just as the Ministries in the Congress provinces have done. Let him at once start action on this matter, just to let us know what actually he means by his promises and proposals for retrenchment.

Sir, I would not take much of your time, but I would like to say only this that so far as civil administration is concerned, this province has one of the most expensive administrations. From comparative statistics I notice that while Bengal in 1933-34 had to spend 13.4 per cent. of her general revenues on General Administration, Bombay spent 7.5 per cent., the United Provinces 11.4 per cent., the Punjab 9.2 per cent. and so on. I say that there must be some time when, somehow and through some method, we shall be able to effect economy and retrenchment.

**MR. SPEAKER:** I would like to know the views of the Leader of the Congress Group whether he would desire me to bring the discussion on this motion to a close at about 5.45 p.m., so that the next

motion may be taken up. If that is their desire, I would suggest that the Hon'ble Finance Minister or the Hon'ble the Home Minister might immediately rise up to reply, and after that I shall put the motion to vote.

**Mr. TULSI CHANDRA COSWAMI:** I have no objection, Sir.

**The Hon'ble Mr. NALINI BANJAN SARKER:** Sir, I quite appreciate the feelings of the members of this House in regard to retrenchment in the administrative cost of the Government. Sir, if we have not indicated any scheme of retrenchment in the budget, it is not because we are indifferent to it or that we do not appreciate the necessity for retrenchment, but because with the time at our disposal—very short time at our disposal—it was not possible to consider the question of retrenchment. I shall also be able to show at a later stage of my speech that, so far as Bengal is concerned, a lot of retrenchment has already been made and this leaves less scope for retrenchment than is usually believed. Sir, administration is expensive all the world over, and no country can claim that it has attained an ideal stage of economy, so that there is always room for economy and retrenchment in every country, of course, including Bengal. We, too, appreciate the need for retrenchment, and Government's policy is that, so far as the important departments of Government are concerned—I mean General Administration, Administration of Justice and Police—we shall ourselves prepare memoranda on the lines of the debate in this House suggested during the general discussion on the Budget and on the demand for grants. We hope to have complete proposals formulated at an early opportunity. We want to hold a conference of members of this House before the next Budget is presented in order to discuss across the table what are the lines on which retrenchment can be effected, as well as to analyse and discuss the difficulties and obstacles towards effecting retrenchment, and also to arrive at a solution on the basis of such discussion. So, Sir, Government is not indifferent to proposals for retrenchment. On analysing the Budget estimates it will be found that if retrenchment has to be effected it will have to be mostly in the direction of the salaries of the existing Government servants. So far as future and new entrants are concerned, the previous Government has reduced their scales of pay to such an extent, viz., by about 15 per cent., that as a matter of fact the salaries are now lower than the salaries that are in vogue in other provinces even those prevailing in the Congress provinces. As the House knows, Sir, under the Government of India Act, we cannot touch the salaries of the superior services; so we can only lay the axe on the provincial and the subordinate services under the control of this Government. But, Sir, whether it is desirable or not to cut down the salaries of the existing officers, that will be a matter which will have to be discussed at the conference proposed in order to come to a

conclusion on this matter." I think, Sir, I have been able to make my position clear so far as Government's policy in regard to retrenchment is concerned.

Then, coming to the statements made by different members of this House, I was very much disappointed to hear the speech of my friend Mr. Manmatha Nath Roy. When a member of his position and standing and one representing the Congress Party was initiating the debate, I thought that it would be really helpful to Government if that constructive suggestions would be received from him. At the outset, Sir, I should like to bring to your notice—perhaps you could not catch his words at the time—that he said that we perpetrated corruption by increasing the salaries of the members of the Legislature in order to get our own salaries increased. Sir, my knowledge of the English language is very, very limited. I have been trying for the last half an hour to find a proper word as to how to describe that sort of statement, and I fail to do so in terms of language that would be Parliamentary. I can only say that this is a most untrue statement. It is the members of this House who voted a salary higher than that proposed by us. (A VOICE FROM THE CONGRESS BENCHES: Home-thrust.) Then, he also complained that we are indifferent to formulating any constructive programme such as has been initiated in the Congress provinces. I submit, Sir, I have not yet seen what other provinces—the Congress provinces included—have done towards initiating a programme of reconstruction on a large scale. I have seen only one Congress province whose Government has ordered that *khaddar* should be worn by its officers. (Mr. KIRAN SANKAR RAY: They have not prepared their budget as yet.) For the information of Mr. Kiran Sankar Ray, Sir, I might say that the Bombay Government has already presented its budget. Our policy also, Sir, is that, Indian-made goods and particularly Bengal-made goods should be used in all Government departments.

Then, Sir, in the Congress election programme and also in the speeches of its President, Pandit Jawahar Lal Nehru, scaling down of debts of cultivators was a very important item of the programme. Though we are not a Congress Ministry here, we, too, have started operations for scaling down the debts of the agriculturists which are so burdensome; but, Sir, a solution of this problem cannot be reached overnight, and I do not think that any Congress province, too, has solved it overnight. We have started organizations throughout the whole province, and we hope that within a year or two our arrangements for scaling down debts will be completed. Most of the Congress provinces have not yet made a start even.

Another item in the Congress programme is to amend the land laws of this country so as to give relief to the tenantry. In this province, also, the Government are shortly introducing a Bill to amend the Bengal Tenancy Act. Further, the Government propose to appoint a

Commission to go into the various intricate questions of land laws in order to find a solution of a variety of problems. (Mr. J. C. GUPTA: Why not a committee of the whole House?)

Then Sir, as I have made it perfectly clear in my Budget statement, there are other matters also engaging our attention, viz., the question of adult education and free compulsory primary education. I may say, Sir, that my colleague the Education Minister is giving his serious attention to this subject, and he hopes to evolve a scheme very shortly.

Regarding schemes in other departments, we have made a beginning in almost every department, and my colleagues will put before the House the policies that they want to pursue regarding their respective departments. I may also say that, practically, most of the important items that found a place in the election manifestoes of other groups in this House have been taken up by the departments concerned, so that it will be seen that we have gone about giving a good start to the various principles and policies of the different groups of this House. Irrigation was also one of the items in the election manifestoes. We have taken steps to initiate certain Irrigation schemes too. Of course, members will see that the amount provided for this purpose is very small, inasmuch as in order to frame a comprehensive scheme, surveys will have to be made first, and, thereafter large operations could be undertaken. We have made provision for surveys for a big irrigation scheme. (Rai HARENDRA NATH CHAUDHURI: By means of your Tanks Bill?)

There is a great demand for improvement of waterways, and it was mentioned in the election manifestoes of some of the groups in this House that the waterways of this province should be improved. We have, therefore, made some provision for the establishment of a Waterways Board. When the Waterways Board will be established, the rest of the work will be undertaken by that Board. Mr. Manmatha Nath Roy said that though Retrenchment Committees were appointed, Government in the past did not give any effect to the recommendations of those Committees. On enquiry into the matter, I have found that during the last 16 years, since the inauguration of the Montagu-Chelmsford Reforms, the previous Government could make retrenchment to the extent of Rs. 270 lakhs of which Rs. 150 lakhs was permanent retrenchment.

My friend Rai Harendra Nath Chaudhuri said that Government have not given effect to the Swan Committee's report. The Swan Committee recommended retrenchment to the extent of about Rs. 150 lakhs quoting from memory and up to date retrenchment involving an ultimate saving of about a crore of rupees under various heads has been effected. There were recommendations of the Swan Committee which could not be given effect to because Government thought they were not practicable and subsequently it was found that they were not necessary either, because the Swan Committee sat at a time when there was a

deficit of Rs. 1½ crores to meet normal expenditure. So, necessarily many of the recommendations of the Swan Committee have not been thought necessary to give effect to.

**Rai HARENDRA NATH CHAUDHURI:** Because you have got a surplus?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I am coming to that, do not be impatient. One of their recommendations was that all roads maintained out of Provincial Revenues, save only those which are important lines of communication, should be handed over to the local authorities thereby effecting a saving of about Rs. 31 lakhs. This could not be done in view of the financial condition of the local bodies. Then a saving of Rs. 63,900 was estimated by the Retrenchment Committee due to the closing of 72 sub-registry offices. But on individual examination only 32 offices were closed thereby resulting in a saving of Rs. 12,690. It was found that the closure of more offices would seriously inconvenience the public. I can place the whole list of the recommendations of that Committee before this House. I have gone into almost every item of their recommendations and I think that under the present conditions most of them are not necessary and the few which will be found necessary will be given effect to in due course.

Then, Sir, regarding the various statistics comparing our expenditure with that of Japan—I have no experience of Japan and I do not want to go so far. But if comparison is necessary we can very well compare our expenditure with that of our sister provinces.

So far as the expenditure on civil administration is concerned, I can show from the budget figure of 1936-37 that whereas Bengal's expenditure per head of population is 1.04, Bombay's is 1.5, Madras 1.18 and the Punjab 1.36.

**Mr. KIRAN SANKAR ROY:** It is very easy to compare the expenditure per head of population but what about the revenue?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I will read to you what is the expenditure of Bombay. Bombay is a Congress province and the Finance Minister there who has presented the budget estimate a few days ago is a Congress Minister, and so far as the General Administration is concerned I can say that Bengal has not fared very much worse than that Congress province. Now, Sir, coming to the Civil Secretariat, our expenditure is Rs. 17,67,000, which has been so much criticised in this House, while that of Bombay is Rs. 16,35,000. I am comparing our figures with that in the Bombay Finance Minister's statement. Though the population of Bombay is half of that of Bengal for their Civil Secretariat they spend Rs. 16,35,000.

Then with regard to the provision for Commissioners of which we have heard so much, even in the Congress province of Bombay they have not up till now abolished the Commissionerships of divisions. Their expenditure is Rs. 3,06,800 and our expenditure is Rs. 4,27,000 because we have got double their population and our area is much more than that of Bombay.

**Dr. NALINAKSHA SANYAL:** How many days in a week do they come to office?

**The Hon'ble Mr. NALINI RANJAN SARKER:** That is not the Finance Minister's job. His job is to enunciate policies.

Then with regard to the Public Service Commission which has been characterised by Mr. Roy as a white elephant, I say that the same white elephant is being maintained at the same cost by the Congress province of Bombay. Our estimate is Rs. 88,000 and theirs Rs. 87,000.

**Dr. NALINAKSHA SANYAL:** What about relief of taxation and relief of excessive rent?

**Mr. SPEAKER:** I think there ought to be a limit to interruptions.

**The Hon'ble Mr. NALINI RANJAN SARKER:** There is no permanent settlement there and so they could give relief. We shall give relief through the amendment of the Bengal Tenancy Act. We cannot give direct relief except through such a measure.

I do not wish to deprecate the services rendered by my confreres in other provinces. Naturally the difficulties are equal in case of Congress and non-Congress Ministries. The Congress Ministers cannot change the whole system overnight and we the non-Congress Ministers cannot also transform the whole system in a day. So far as the effect of the retrenchment is concerned, in Bombay the rate of salary is about 50 per cent. more than what we pay in Bengal. The last Government reduced the pay of the future entrants to provincial and other services to an extent which the Congress provinces have not yet been able to reach.

My friend Mr. Mammatha Nath Roy said that the cost of general administration has been increased by 24 lakhs in comparison with last year. The explanation of this is given at pages 71-72 of the Red Book.

My friend Mr. Khaitan has said that we are indifferent to retrenchments. Certainly not. We are not only not indifferent but we are as enthusiastic as any member of this House to effect retrenchment.

**Mr. D. P. KHAITAN:** On a personal explanation, Sir. I never said they are indifferent.

**Mr. SPEAKER:** I would advise you not to be so touchy.

**The Hon'ble Mr. NALINI RANJAN SARKER:** Coming to the question of retrenchment I should frankly say that the system of large salaries which is usually prevalent in the profession to which my friend Mr. Khaitan belongs is a great obstacle in the way of retrenchment. Government cannot give a salary which will be disproportionate to the environments and I know that the salaries which are given in commercial houses are very high. If we come to the ideal state of things so far as Government salaries are concerned, as envisaged by some of the members of the House you will find that they are quite disproportionate. Government must be prepared to pay the economic value of the services which they get. If the businessmen give us help by moving towards that ideal both in their own life and also in the lives of people serving under them, the Government would be helped in giving effect to retrenchment.

My friend was also disappointed that we have not put our programme before the House. I made it perfectly clear in my budget speech that it was not possible to formulate in detail the programmes of the departments within the little time at our disposal. The respective Ministers will, in appropriate time, give an indication of what they intend to do. I may make a general statement that out of any available resources that may be left after meeting the normal obligations every pice of that will be spent on nation-building departments.

Mr. Khaitan criticised that the Government had not provided much for expenditure on agriculture and industry. But as I have indicated in my budget speech this was not possible. It is not that agriculture and industry were two persons who came to the Secretariat and asked for their share of the revenues, so that we could pay one cheque to Mr. Agriculture, another to Mr. Industry and a third to Mr. Public Health. Is that possible? For every demand made for any department a scheme must be prepared. My friend Mr. Khaitan knows the difficulty. He and myself in our respective Chambers were crying ourselves hoarse for improving the cottage industries. But we have not been able to frame schemes which a responsible Minister could give effect to. We could only intimate our anxiety to do certain things for Industry and Agriculture. So far as Industry is concerned, this Government is helping an Industrial Syndicate or industrial corporation for financing small industries and in that industrial corporation Mr. Khaitan is a director. I think that the prosperity of small industries will be given a great

fillip if that industrial corporation is worked out properly. Government has advanced money. Government has guaranteed against loss: and Government is bearing the maintenance cost to the extent of Rs. 20,000 a year.

Then about the Commissioners he says that the system of Commissioners was devised when there was only one Lieutenant Governor. I quite appreciate that it was to assist the Lieutenant Governor that the posts of Commissioners were devised. Even now in place of one Lieutenant Governor there are one Governor and 11 Ministers and I do not say that the Commissioners are absolutely necessary. But if you say that because there was one Lieutenant Governor 50 years ago so the post of Commissioners should be abolished, I do not agree. There was no Council then, no members. There were not so many questions and resolutions and so much discussion at that time. If the volume of work is an index of the requisite number of officers; I think under the prevailing conditions Commissioners can find a place in our present-day elaborate schemes of things. By that I do not say that Government will not review the position of Commissioners to see if it is possible that Commissioners can be utilized in other spheres of work than they have hitherto been doing and the Government will examine the question and the findings will be communicated to the Assembly next year. When occupying the Bench opposite I often said myself that the Commissioners in some respects were the fifth wheel of the coach, they were Post Offices but there are other duties and other things now devolved on them which may necessitate utilizing their services in some other useful ways. Sir, I have heard some of the speakers say that some of us gave pledges to the constituencies that the administration cost should be reduced. I do not say that it will not be reduced where possible but I ask my friends not to give too much stress on the election pledges. I have seen pledges and I have seen manifestoes wherein it was stated that some members entered the Council only to end it but from subsequent attitude we find that they have come to work the constitution. Sir, this is what I want to say in this connection, that we are not indifferent to the question of retrenchment. We shall try our best to cut down the expenditure in our administration wherever possible, but I would point out that there are difficulties because there are some Services which we cannot touch and in those others I do not think that you will be able to effect so much saving that this will be sufficient for the national reconstruction scheme envisaged by some of my friends opposite, but in any case whatever retrenchment is possible Government will try to effect.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I think we may fairly congratulate ourselves that our friends of the Opposition have been crediting us with possessing supernatural powers. Since we came into

office on the 1st of April. Hopes were expressed that we would be able to change the face of Bengal in the course of a single night. Perhaps we have belied expectations and I am certainly sorry Sir, if with our human limitations we have not been able to fulfil their expectations. Sir, we hear every day in this House and on the public platform and in the columns of newspapers descriptions of the great achievements of other provinces where Congress Ministers are in office. It is not for me to criticise the activities of our colleagues in other provinces but our misfortune is, Sir, that we have got no newspapers to boom our activities. (A VOICE FROM CONGRESS BENCHES: "Star of India"?) The "Star of India" is only a journal and not a newspaper. A newspaper, Sir, under conditions prevailing in India, is only a sheet of paper containing false news, innuendos and most abominable publications to suit the purposes of particular factions and cliques. The "Star of India" is nothing of the kind. It is a clean paper and I do not wish to disgrace the "Star of India" by putting it on the same level with other journals published.

Now, Sir, let me come to one or two facts which I wish the members of this House to remember in connection with this question of retrenchment of expenditure. Let me say at once that we definitely accept the policy of economising the expenditure, and in order to show that we are in earnest, I am going to repeat the statement which has been made by my Hon'ble friend the Finance Minister and which may perhaps have escaped the notice of the members of this House. Sir, it is always very easy to say that economy should be effected in a particular direction but when you come to give effect to suggestions of that kind you will find practical difficulties in the way. I will give one or two concrete instances. My friend the Finance Minister has said that the Swan Committee recommended the abolition of 71 Sub-Registry offices and we have as a matter of fact closed down about 31 offices. Now, Sir, when I came into office and took charge of that department I found half a dozen applications awaiting me urging on behalf of the general public in certain areas not merely not to close down but to create half a dozen more offices, and up to now there has been an incessant cry from many districts for the opening of more Sub-Registry offices. Whenever I want to close down an office at one place or amalgamate it with another neighbouring Sub-Registry office, there is immediately a great agitation not only not to close it but to have another in addition to the one already in existence. That shows that although this House may recommend that the Sub-Registry offices should be closed, when it comes to actual practice, it is found that the public themselves do not like economy to be effected in those directions.

Then, Sir, if you will permit me, Mr. Speaker, to bring to the notice of this House that when you were a member of a certain Retrenchment Committee you advocated retrenchment in the sphere of

education in various directions and I remember, Sir, when I proposed in this House reductions in the expenditure in the department of Education on those lines you were the first man to get up and say that these retrenchments cannot be effected. That shows, Sir, the difference between making a recommendation and carrying it out in actual practice.

Then another instance, Sir, is of Mr. Haldar. When he was the Secretary of the Retrenchment Committee he recommended certain retrenchments in the Department of Excise but when he became the Commissioner of Excise he came up to Government not only not to economise but to increase expenditure under these heads. I do not for a moment mean to say that retrenchment is impossible. Even in the worst conditions it is always possible to economise expenditure. What we propose to do is this, and I hope this assurance will satisfy the House. We have heard the debates, we have taken a note of the points which have been brought out prominently for the purpose of effecting economy. We propose to discuss these matters with departmental officers and before we meet again in March, before we put forward our budget, we propose to have conference, more than one if necessary, with different sections of the House, sitting across the table and ourselves make out plans for retrenchment in all directions. Retrenchment Committees will not do. These Committees are always looked at with disfavour by the public and for very good reasons. There have been retrenchment committees and all the materials will be at our disposal. We will discuss and arrive at means of economising by exchange of views and—if I may use that expression—by means of negotiation with the members of opposite Benches. Having considered every question on its merit and having considered the practical difficulties raised in the way, we will find out ways and means to get over the difficulties. I think these conferences will lead to a good deal of useful results. This is not mere assurance; if we do not do this in the next few months, you can then say that we have broken our promise. We do not break our promises, we really mean to effect economy if only to get a credit for having done something in consonance with popular views. With this assurance I hope the House will be satisfied that we have accepted the policy of looking into the budget in order to effect economies and that we will be able to find out some means of satisfying the popular demand.

The motion that the demand of Rs. 1,18,53,000 under the head "General Administration" be reduced by Rs. 100 on the ground of retrenchment of expenditure was put and lost.

**Mr. SIBNATH BANERJEE:** Mr. Speaker, Sir, if I had no grievance at all against this department, the evasive and misleading and incorrect replies given by the Hon'ble Labour Minister to-day to

my question would supply me with sufficient incentive and provocation to move for the cut of the entire amount kept at his disposal. Mr. Speaker, Sir, it has been our experience in this House that whenever any legitimate criticism of the Government or the Treasury Bench is started, the cry of "Islam in danger" or a communal cry is raised, be it the question of release of detenus, be it the question of release of Andaman prisoners, be it the question of salaries of Ministers—

**The Hon'ble Mr. H. S. SUHRAWARDY:** On a point of order, Sir. Will the Hon'ble Member be asked to stick to the subject of discussion instead of talking about release of prisoners?

**Rai HARENDRA NATH CHAUDHURI:** May I ask, Sir, if it is a point of order?

**Mr. SPEAKER:** I do not think it is a point of order. Nor do I think I can stop Mr. Sibnath Banerji. But as I said before and I would repeat it now, I would appeal to every section of the House that the debate might not be conducted in a manner which might jeopardise the communal relationship and harmony for which you are all anxious. Sir, I quite appreciate the feelings expressed and I hope the Hon'ble Mr. Suhrawardy will see the relationship of what I was saying.

Mr. Banerji, I would remind you that this debate will close at 6-30 p.m. I would ask you to come to your point so that the Hon'ble Mr. Suhrawardy might give his reply.

**Mr. SIBNATH BANERJEE:** Sir, I was straightaway coming to the point. This communal cry has been raised by the members of the Treasury Bench and by no other person than the Hon'ble Mr. Suhrawardy. (CRIES OF: No, no.) I can prove it to the House. The strike in the jute mills started long before this Government came into office. But after this Government assumed power—whatever power is given to them by the Constitution, immediately attempts were made to break the strike. It may be remembered by this House that we discussed an adjournment motion regarding the jute mill strike when an order under section 144 was applied to make it impossible for the leaders of the working people to go to their respective constituencies. Even we were assured then that whatever might have happened it was not going to happen again. I am sorry to inform this House that even after this solemn assurance these things happened and happened to the members of this House—I mean comrade Niharendu Dutta Mazumdar, comrade A. M. A. Zaman and myself—we were not allowed

to go to our constituencies. When I am making this statement I know the full gravity of it. I have been warned by the Speaker twice but in spite of that I am going to make this statement, because everywhere we had gone, we had been faced with this question—that we did not want an improvement of the condition of labour in the jute mills but we wanted to break the Ministry by no-confidence in the Hon'ble Mr. Suhrawardy.

(THE HON'BLE MR. H. S. SUHRAWARDY: Can he prove it?)

I have no proof to show that this has been done directly by the Hon'ble Mr. Suhrawardy, but this fact has been brought to his notice many times. At least I can accuse him of conniving.

**MR. SPEAKER:** Mr. Banerji, the personal conduct of a Minister is not in issue. You are here concerned with the labour policy. If you want to bring in personal issues, your remedy is a vote of no-confidence on the Minister concerned. In discussing the policy of the department, you must confine your points to the policy and unless you can show that your remarks have something to do with the labour policy of the Government they are out of order.

**MR. SIBNATH BANERJEE:** Mr. Speaker, I was exactly referring to the labour policy, as I feel that it has taken a communal colouring, but I shall not refer to these matters any more and shall now take other points.

Sir, referring to the answers given to the questions put to him this afternoon the Hon'ble Minister has been pleased to say that most of the mills had gone back to work by the 7th May and there was no general strike in progress at that time. Sir, I may say that that statement is an absolutely incorrect one. It has been pointed out by comrade Niharendu Dutta Mazumdar that there was a general strike at that time and prolonged negotiations were going on in which no other person than the Chief Minister and the Labour Minister took part for days together and ultimately terms which were given to the two Ministers were mostly accepted and the assurance was drawn up by them and accepted by us. Perhaps he is technically correct when he says that there were no terms of settlement between the strikers and the jute mills association. But there were certainly terms of settlement between the representatives of the strikers on one side and Government and Ministers on the other. And in a way in regard to the terms of settlement with the jute mills association the Hon'ble Ministers acted as go-between.

Sir, regarding cases of victimisation, the workers in different mills, a question was put that over 400 strikers of Fort Gloster Jute Mills, Sepahi Singh of Fort William Jute Mills, 300 men in Nuddea Jute Mills, 300 men in Belvedere Jute Mill and 300 men in other mills

have been victimised. To this question the Hon'ble Minister has replied that so far as he is aware there have been no cases of victimisation. I shall remind him that only after the strike was called off the Hon'ble Minister issued a statement in which he said that there were 400 cases of victimisation. Of course, he tried to defend himself by saying that 400 was a small number compared with the total number of 3,00,000 jute workers. Perhaps he forgot this when he said that he was not aware of any case of victimisation. These cases of victimisation were brought to the notice of the Hon'ble Minister when these cases numbered only 400 and to-day it is nearly 2,000. But the Hon'ble Minister says that he is not aware of such cases. In one case it was pointed out by comrade Dutta Mazumdar that 126 persons were victimised on account of their Trade Union activities, although in the assurances it was clearly stated that no one would be victimised for joining the strike or the Trade Union. (THE HON'BLE MR. SUDHAWARDY: They were only dismissed.) Now he says that they were not victimised but dismissed—I do not know what he really means. The Mill Association on one side asserted that there was no victimisation. But we said that there was victimisation. In the assurance itself he had accepted that there would be an investigation, and this was a fit case for investigation. I am sorry to say that the Hon'ble Minister accepts every word which the Jute Mills Association say in a way as if it is his master's voice and that is the most deplorable thing in the whole affair.

Sir, then there was an assurance that there would be thorough investigation in which all the parties would be satisfied. In reply, the Hon'ble Minister said that he was making an enquiry into the condition of the labour of the jute mills. May I ask him how there have been so many cases of dismissal? We have always insisted on the formation of a Board of Enquiry according to the Trade Unions Act, as it was assured during the adjournment motion which we moved in April last, but it has not been accepted. About the withdrawal of cases the Hon'ble Minister is technically correct, as there was no word of withdrawal in writing but there was an assurance that cases arising out of the strike would be liberally considered. I want to inform this House that out of nine cases three have been withdrawn in which 15 persons were involved. The six cases which were not withdrawn involved about 60 persons. In one case one man was convicted and sentenced to four months' imprisonment and he is still serving out his term. I submit that the Hon'ble Minister has given us a misleading answer when he says that the assurances have been amply implemented. Are we to take the assurance of the Chief Minister and the Labour Minister in this way to be of no value?

Sir, these are the acts of commission and omission regarding the assurances. This, I am constrained to say, is due to the encouragement

that the mill authorities are getting either from the district authorities or from the Ministry itself and they are thus victimising about 200 to 300 men from the different mills and the number of such cases is already over 2,000. We think, Sir, that there is a deliberate attempt to provoke another strike and the reasons are not far to seek. I think the Hon'ble Mr. Suhrawardy has not been able to forget that he himself went to Kankinara and asked the men not to join the strike. The result was that on the next day they all joined the strike. Therefore he says that there was incitement given to men to strike. If he wants some consolation in saying this, we have no objection. But, I want to warn this House that about 2,50,000 men went on strike having legitimate grievances which have been admitted by the Hon'ble Mr. Suhrawardy and the Chief Minister and unless these grievances are redressed things will not be normal and peaceful, and I think very soon there will be another strike of still larger dimensions. I wish to remind only one sentence in the statement that was issued by the Chief Minister in which he said that he was making the statement with the full concurrence of the Labour Minister, and that no Government in India had before this held out such assurances to labour. I would like to add only—that never before have Government assurances been so callously broken.

**MR. SPEAKER:** I think it is a very important debate. I understand that the Nationalist Party has practically no motion of their own to move. In view of the importance of the subject, I will extend the time-limit. I shall ask Mr. Cooper, Mr. Dutta Mazumdar and Mr. Aftab Ali to speak and then Mr. Khaitan and each of them will have 10 minutes. The debate will then be brought to a close. This is the only matter on which the labour representatives will be able to ventilate their grievances and I do not want to curtail the time.

**MR. C. C. COOPER:** 'Sir, I have had the honour of being a member of the Bengal Legislature for nearly 15 years and during that long term it has been my privilege to represent one constituency, namely, the Indian Jute Mills' Association. My Hon'ble friend Mr. Sibnath Banerjee, I am glad to say, made the first public disavowal of an allegation which has been frequently made in the press that we the Indian Jute Mills Association made an agreement with our labour which we did not abide by. I confirm his statement by saying that we made no agreement with labour whatsoever.

**MR. SIBNATH BANERJEE:** On a point of personal explanation, Sir. I said that the Ministry did.

**MR. C. C. COOPER:** I am not aware whether Government did or did not. But so far as my Association is concerned we did not. We

made it clear to our labour that if and when they returned unconditionally to work we promised them that there would be no victimisation. We have abided loyally and truly by our promise and any one who says that we have not abided by our promise is incapable of speaking the truth. I emphasise, Sir, that there has been no victimisation. My friend Mr. Sibnath Banerjee has made some reference in this connection to the Nuddea Jute Mill—a mill in which I am particularly interested. There has been no victimisation in the Nuddea Mill. The men were dismissed and their dismissal had nothing whatever to do with the strikes. Their dismissal was caused by direct defiance and disobedience or orders and, Sir, who taught these men to strike labour who previously had been perfectly loyal and law-abiding, who incited them to such disobedience? My friend Mr. Sibnath Banerjee and his colleague, the other communist, Mr. Niharendu Dutta Mazumdar—it is they who taught these unfortunate men the spirit of lawlessness and taught them disobedience, and these poor men are now suffering for heeding the teachings of the communist party.

**MR. NIHARENDU DUTTA MAZUMDAR:** Will the Hon'ble Member explain what is his definition of the "communist" before he again uses this word?

**MR. SIBNATH BANERJEE:** On a point of order, Sir. The communist party in India may or may not be illegal. But so far as I am concerned I have openly declared at the Meerut Conspiracy Case that I am not a communist.

**MR. C. G. COOPER:** Well, Sir, they may or may not be proud of being communists but their teachings are of a communistic nature. We have heard a great deal about the grievances of labour. I say that the bulk of those grievances are more imaginary than real, the bulk of these alleged grievances were manufactured during the strike. When you have 3 lakhs or more of labour working up and down the river, it is inevitable that at times there must be causes of minor grievances. It is to our interest to loyally investigate the causes of all grievances, which are placed before us by our labour. It is our policy and it is the policy by which we abide. It is perfectly simple why we do so. If we have a discontented labour who are suffering under any real sense of grievance they cannot work well. It is, therefore, in the joint interests of both the employer and the employee to have mutual sympathy and understanding each with the other as both are employed in producing wealth for Bengal. So far as the Indian Jute Mills Association is concerned, we have always had, and will always have sincere sympathy for our labour. I have worked at a jute mill with

labour, alongside labour; and so have my colleagues Mr. Walker and Mr. Nimmo. We can therefore claim to have first-hand knowledge and understanding of labour. Understanding our labour, we come to like our labour. We want, therefore, so far as it is possible within human power, to help our labour, to work with them and for them as a united whole, because the prosperity of the jute mill industry is the whole life blood of Bengal. To this end it is the aim of the employers to keep the industry united, and work in unison with our employees.

**MR. NIHARENDU DUTTĀ MAZUMDAR:** Mr. Speaker, Sir, I propose at the outset to make short work of certain remarks of the honourable member who just spoke before me. I would advise the honourable member, through you, Sir, that he should educate himself. If, in the fourth decade of the twentieth century, the honourable member is perfectly ignorant of what is meant by the word "Communist", and if he used this term without knowing its meaning, then I would advise him to spend a few rupees out of the enormous profits that his association is making out of the life-blood of 3 lakhs of workers in this province to buy a few manuals and to acquaint himself with what is happening in the great country which is under Communist regime, where the ruling power is in the hands of the Communist Party and where there is no such complaint raised, as has been raised here by the jute mill workers, where these difficulties and oppressions and grievances, which gave rise to the recent jute-mill strike, do not exist.

Now, turning to the question of the proposal for a cut on the estimates for the Labour Department, I would say that it would be a welcome thing if there was a Labour Department, well-organized, and representing the interests of labour—a Labour Department democratically controlled by the representatives of labour, in whom labour has reposed its confidence and trust, and to whom labour has given its mandate for its welfare. But the reason for our objection to this demand is primarily due to the fact that we have here proposals for a Labour Department and the proposal for a considerable sum of money to be voted for a Labour Department. But here there is no proof that the men who control that Labour Department enjoy the confidence of labour or enjoy the confidence of those who alone are fit to speak on behalf of labour. My honourable friend Mr. Shrinath Banerjee in his speech expressed his sentiments and expressed his considered views, and he has behind him the mandate of over 20,000 actual workers, who voted for him during the last elections. I can claim to speak for labour, representing as I do nearly 52,000 workers, Hindus and Muhammadans alike who voted for me. Those workers have sent me here not because I am a Hindu or a Muhammadan, but because those labourers are not divided into Hindus and Muhammadans and because they want simply to stand as labour, and they want to be represented by one in whom they have complete trust.

Following close upon the general elections of 1937, there was a great jute strike which terminated on the 40th of May, when, in pursuance of an agreement, we, on behalf of the Strike Committee, called off that strike. I shall not trouble this House with very many details of that strike, but I would only inform the House as to the demands for which the workers resorted to a strike. If you will permit me, Sir, I shall read out their grievances briefly. They wanted recognition of their union, restoration of the cut in pay introduced in 1931-32—this cut relates to the cut in pay to the extent of 6 pice to two annas in every rupee which was introduced when hours of labour were reduced from 54 to 40 hours. But when the hours of labour were again increased from 40 to 54, they demanded that the cut should be restored. It was not a demand for any increase in wages; it was simply a demand for the restoration of the wage cut previously effected. Then, security of service and arrangements for keeping service records. Proper service rules should be framed with provision for leave, pension, gratuity, provident fund, and maternity benefit, pension rules to be framed and published; consideration of pension for all dismissed workers; no victimization; reinstatement of workers wrongfully dismissed, stoppage of bribery, fines, and corruption, and so on. All these items of malpractice and corruption, Sir, have, in unequivocal terms, been condemned by the findings of the Whitley Commission; attention of the hon'ble member is particularly invited to those grievances. The standardization of wages; cancellation of orders regarding minimum production; no rationalization at the cost of the workers; prompt repairs and prompt supply of machinery parts and working materials; men forced to go on leave on account of sealing up of looms to be absorbed by giving them the first preference whenever vacancy occurs; free quarters; proper arrangements for education and medical aid; lighting and water-supply, interval for recreation, refreshments, etc., during work with provisions for relieving hands. Sir, even cattle are allowed sufficient time for meals and here in the jute mills the workers are obliged to put forward a demand for an interval for recreation. (The Hon'ble Mr. H. S. SUHRAWARDY: Totally unnecessary.) I think, Sir, the Hon'ble the Labour Minister has still to acquaint himself further with the conditions under which the labourers live in the mills; then appointment or dismissal of workers by the manager in consultation with the union leaders and not through Babus, sardars or line overseers; this is in order to put a check on whimsical dismissal of men. Now, Sir, I ask this House through you: "Is there anybody here who can say that any one of these demands is unreasonable, that any one of these demands is such as is extravagant?" I maintain, Sir, that all these demands are very modest demands intended only to ensure a human and just a tolerable condition of living—neither living in comfort nor in affluence—but just a bare minimum which would ensure a tolerable living standard to the workers. And here, Sir, I may point out I have it here in the

words of no less a person than a jute magnate, viz., Mr. Hajee Adamjee Dawood—that in the jute industry, during the last 10 years, the owners have amassed an enormous profit of over 100 crores of rupees. It is well known that the jute industry is one of the most vital industries of the province of Bengal and that the jute industry is directly connected with it, viz., jute crop, on which the welfare of the Bengal peasantry depends. And, therefore, the jute-workers can claim the attention of this House particularly, to the conditions of their life and labour.

When the strike took place, and went on, what was the attitude of Government? The strike started on the 1st of February during the old regime, but after the “autonomous” Government, as we are assured the present Government is, came into office on the 1st of April, let us see what we received at the hands of the so-called autonomous Government. On the 5th of April a letter was addressed to the Secretary of the Indian Jute Mills Association and to the jute mill managers informing them of the demands of the jute mill workers. On the 13th of April, Sir, a communication was addressed to the Hon'ble Mr. A. K. Fazlul Huq, the Chief Minister, who had been returned to this House, fresh from his constituency, promising them *dul-bhat*. And strange to say, Sir, that this letter even failed to elicit a proper reply from the Hon'ble the Chief Minister and his Cabinet. The strike which was confined to only 18,000 workers in the beginning of February involved no less than 2 lakhs 20 thousand workers by the middle of April and that happened within two days after the Hon'ble the Labour Minister went to Kankinraha and addressed a labour meeting there and the Hon'ble the Labour Minister's speech, I submit, was the direct provocation to the workers to come out on strike wholesale. I also beg to remind the House through you, Sir, of another fact, that at that time myself and my labour colleagues were precluded from going to our constituencies because there was an order under section 144 against us.

If there is anybody who had the responsibility for the general jute strike it was the Hon'ble Minister for Labour with his acts of provocation.

(Here the member reached his time-limit but was allowed two minutes' extra time to finish his speech.)

When the strike became general it is well known that the Labour Minister and the Chief Minister came down from Darjeeling only for the purpose of carrying on negotiations with the representatives of the Jute Strike Committee but this morning the Hon'ble the Labour Minister declared that no terms of settlement were offered. I would invite the Chief Minister to get up and say whether he would corroborate the statement of the Labour Minister and conscientiously and truthfully say if there were actually any terms of settlement or not. We have heard carefully what the Finance Minister said and I should not be surprised if that connotes the abandonment of the policy laid down in the election pledges of the Hon'ble Ministers and if it assumes that the assurances

and utterances of Cabinet Ministers are of no value. It is plain to the whole of Bengal that one after another, the ministerial pledges to the peasantry of Bengal have been broken. The Chief Minister has been returned to this House after assuring the people of their *dal-bhat*. He defeated his adversary who stood on a communal platform; the voters of Patuakhali did not vote on religion and turned down the adversary of the Chief Minister because the Chief Minister stood on a non-communal economic programme. Now, Sir, here in this very House we have seen that every piece of assurance given by the Ministers has been trampled down.

I have to conclude by saying a word in reply to Mr. Cooper's remarks about Mr. Muzaffar Ahmad and the incident in the Nadia Jute Mill. It was not only Mr. Ahmad, but also I myself who went inside the Nadia Jute Mill by appointment with the manager. We arrived there at the appointed hour during working time and I found hooligans who were prepared to commit murders if necessary posted inside the mills. The labourers were engaged in their work inside the workshops and outsiders were not admitted inside the mill compound during working hours. Where did the hooligans come from? These hooligans attacked us with brickbats and stones. I received injuries and blood. It was only through the intervention of the workers who came out of their workshops, that we were saved and the hooligans fled away. Then the Manager of the Nadia Jute Mill came. We reported to him the incident which he treated with astonishing callousness and indifference. We had a long talk about the dismissal of the 300 workers of the Spinning Department. These were the active organisers of the union. We asked for their reinstatement, but this was refused and the only question he put to us was whether the union was going to rule or whether the Jute Mills Association was going to rule. Now, Sir, voting this grant for the so-called Labour Department would be voting for the dictatorial rule of the Jute Mills Association.

(As the two minutes extra time allowed was over, the member resumed his seat.)

**Mr. AFTAB ALI:** Mr. Speaker, Sir, I am not going to deal with the Ministry alone nor attack the Hon'ble Minister for Labour and Commerce like my colleague comrade Shibnath Banerjee has done. I will discuss, Sir, the labour policy of the Ministry from the point of view of the Trade Unions and I will try, as far as possible, to keep myself free from excitement. I have got many press cuttings before me which appeared from time to time in the Press with head-line: "labour policy of the Government of Bengal". I honestly tried my very best to find out what that policy was. But I regret to say that I have not been able to find out what the policy is on which so much has been said and so many head lines have been published and so many statements from the Ministry of Labour have been issued. One thing

that I have been able to find is this, that a continuous preaching has been carried on by the Labour Minister drawing the attention of the workers, specially the jute workers, to the fact that they were in the wrong and that they were being led by leaders who had political objectives in view. I, for myself, came across one statement made on the 4th May which the Secretary of the Labour Department gave out that the Hon'ble Minister for Labour was agreeable to take steps under the Trade Disputes Act and even to form a Board of Conciliation with a view to bringing the Jute Strike to an end. But the Hon'ble Minister changed his mind because the leaders of the strike had political objectives in view. Now, Sir, it was in the statement of the Labour Minister that he was agreeable to take steps under the Trade Disputes Act and that he was agreeable to form a Board of Conciliation to go into the question of the grievances of the jute workers; but that he would not take such steps because in his opinion the leaders of the strikers had political objectives in view. May I ask, was it on account of political objectives alone he did not consider it necessary or worth his while to appoint the Board of Conciliation under the Trade Disputes Act? Did not some other reason make him change his mind over-night? I submit, Sir, that if the leaders of the strikers had political objectives in view in bringing about the jute workers' strike, I maintain, the same political objectives kept the Minister for Labour from taking action under the law of this country.

Now, Sir, I want to make another point clear. I do not find in this Chamber my friend Mr. Cooper—I am sure he would not charge me with communistic activities—I wish he were present and heard from me how there had been no victimisation. So far as the employers are concerned, Sir, in my 10 years' connection with the organised labour movement in this country, I have never heard—not only in this country but elsewhere as well—any employer admitting the charge of victimisation. It is unfortunate that this kind of dismissal has never been nor ever will be established as a case of victimisation—it is purely a case of dismissal! But so far as labour point of view is concerned this sort of dismissal is victimisation.

Now, Sir, I come to the welfare work and the Labour Department that has been or going to be organised under the control and direction of the Minister for Labour. It is within my knowledge that soon after the jute workers went on strike, the Khilafat Committee became a labour organisation almost over-night and most of them became active in breaking the jute strike. I would go further and say—and while doing so I feel inclined to hang my head in shame—that the candidates whom I set up against my honourable colleagues here during the last election did not mind taking an unholy part in breaking the jute strike, simply because the strikers did not vote for them. It is also within my knowledge that these people have broken their promises

and have been successful in breaking that strike. I think this jute strike gave an opportunity to my ex-colleague the Hon'ble Minister, to prove that we on the other side of labour were not what we were painted to be by the strike leaders. But that opportunity has been lost.

Now, Sir, in the Labour Department which is going to be reorganised, we find provisions for appointing welfare and other officers; Most of these people perhaps will have their rewards for the part they have taken and played in breaking the strike. I hope that the Hon'ble Minister for Labour and Commerce would remember one fact and one solid fact that he is trying to do the impossible: he is trying to bring, in the name of recognition, a sort of one-sided control of labour and I hardly need add that labour will never submit to any one-sided control over it. I there is going to be any control—if there is going to be any "code" for labour—that must be placed on both sides. Leaving the employers free to choose—

(Here the member having reached the time limit, resumed his seat.)

The House was then adjourned for 15 minutes.

(After adjournment.)

**Mr. C. C. COOPER:** Mr. Speaker, Sir, I rise on a point of personal explanation. My honourable friend Mr. Sibnath Banerjee alleged that the workers of the Nadia Jute Mills were discharged because they joined the strike. This is entirely incorrect.

**Mr. DEBI PROSAD KHAITAN:** Mr. Speaker, Sir, if it is any consolation to my friends the labour members of this House I might state at once that I have my grievances against the Government in regard to their labour policy just as much as they have and the facts which I am going to disclose, I speak from personal knowledge and not from hearsay evidence. I have got personal knowledge of a strike which came about at the same time as the jute mill strike and in connection with that strike, Sir, the representatives of labour who were leading this strike went to the extent of causing assaults on the peaceful workers or willing workers—by whatever name they may be described—and a large number of persons were grievously assaulted—one of them getting a wound no less than 2 inches deep, several of them getting wounds no less than one inch deep and the rest no less than half inch deep. It was with the greatest difficulty that we could get protection from the police in order that the willing workers might be allowed to go to the mills and perform their lawful avocations. From time to time they were prevented from going to the doors of the mills; from time to time, as I have already said, they were physically assaulted and grievous wounds were caused to them and they had to be sent to the hospital. And, Sir, what did the Hon'ble the Labour Minister do in connection with those very persons who had caused these grievous assaults? He personally wrote to me, Sir, that those

very men who had caused these grievous wounds should be immediately taken back to work, that we should not allow the police to carry on cases against these assaulters, that we should take them back because otherwise it would be said that there were cases of victimisation. I had personally to go to the Hon'ble Labour Minister and explain to him that these were the incidents that had happened and would he as a responsible Minister of the Government prevent the police from conducting the cases against those who were not peacefully carrying on strike but were guilty of grievous assault on peaceful workers? Such was the attitude of the Labour Minister that I had the unhappy occasion of experiencing in connection with this strike. So far as the labour leaders were concerned, when the police arrested them for having caused these grievous assaults all that I read in the newspapers was that innocent people were being arrested by the police and that the mill authorities were responsible for conducting the cases against those innocent people. I would further go on to state, Sir, the manner in which this strike was brought about. Sir, the strike was not brought about on any previously formulated grievances. Of course, Sir, after the strike had been in existence for several days some grievances were written out on paper and which the workers themselves could not substantiate. From what source they came it is easy to conceive, but at the same time I have one thing to point out that the difficulty is that these strikes are very often brought about by persons who have never worked in a mill themselves, who became labour leaders saying that it is in the interest of the labourers themselves but unfortunately it is these very workers who are made to sacrifice (for what purpose I will not state and explain to this House) but will leave it to the members of the House to guess because, Sir, if I give the real reasons, objection may be taken. But Sir, what is the effect of that strike on the workers themselves? On the one hand we are told that labour welfare work should be carried on. How is labour welfare work to be carried on if the mills incur losses of lakhs and lakhs of rupees every month. It is only out of profit that labour welfare work can be carried on but if that very profit is made to disappear, if that very profit is converted into a loss, it is certainly not possible for the employers to do as much labour welfare work as they otherwise would like to do, knowing full well that it is contented labour that can carry on the work with the best efficiency and in the best possible manner. Sir, what is the condition of the workers themselves?

Suddenly they go on strike and I will give you an example as regards an individual case of what the effect of the individual worker is when a lightning strike is brought about. Supposing, Sir, a worker gets about 25 rupees a month and a strike continues for about two months: that particular worker necessarily loses Rs. 50 during the two months. In order to maintain himself for these two months he

has got to incur a debt which carries a high rate of interest. I will not mention, Sir, the group of people from whom they have got to borrow that money; it is certainly at a very high rate of interest. They have got to repay the principal, they have got to pay the interest on that principal. Supposing as a result of the strike the labour leader succeeded in getting their wages increased by Re. 1 per month it would take them much more than 30 months to repay the debt which they borrowed and the interest on that amount. So, Sir, for the next 50 months at least no benefit accrues to any worker as a result of the strike. I would appeal to my labour friends to see that these lightning strikes are not brought about. It is said that the Hon'ble Labour Minister went and addressed certain workers in some mills and the very next day a lightning strike took place. It is said that it was a result of my Hon'ble friend Mr. Saheed Suhrawardy having become the Minister for Labour that the workers were worked to such a high pitch that the lightning strike came about without any rhyme or reason. I hope, Sir, that my friend the Hon'ble Mr. Suhrawardy will make amends for his past career and conduct and see that these lightning strikes which result in a loss of lakhs, if not crores of rupees to the workers do not come about again. Sir, I would also appeal to the Labour Leaders of this province, because it is only as a result of the development of industries that our province can become more prosperous. If strikes are brought about in this manner, capital which is proverbially shy in Bengal becomes more shy still. If my friends the labour leaders do want to work for the benefit of the province it is as much their duty as it is the duty of the Government and the duty of the employers to see that peaceful relationship is established between the employers and the employees, realising full well that the employers know that they have got to rely on contented labour for the sake of making their own factories prosperous. It is only then and in those circumstances that capital will become less shy in this province. So far I can tell you, Sir, from my practical experience that as a result of this big jute strike much capital has indeed become shy and Sir, even to-day my friend Mr. Sibnath Banerjee, for whom I have the highest respect, has threatened another big strike in the jute mills. I hope, Sir, he will use his influence not to bring about this strike but to see that the workers whom he represents in this House are not put to the same kind of misery from which they have suffered in the recent past and that he will exercise his influence in the direction of establishing better and more affectionate relationship between the employers and the employees, not by giving them unusually high hopes but by seeing that they earn as much money as they possibly can. Sir, it is often loosely said that it is the duty of the employers to spread education, to give medical relief, to increase sanitary measures. Sir, the employers do it to the extent that they can, but I hope, Sir, it will be remembered by everybody that the fundamental duty of spreading education or giving education, of giving

medical relief is more on the people themselves through the State rather than on the employers themselves who have got to compete not only with factories in this country alone but with factories abroad as well.

**Mr. SYED JALALUDDIN HASHEMY:** Mr. Speaker, Sir, it is not always fair nor it is desirable to make an adverse criticism for criticism's sake only. Sir, I have the honour to associate myself with many labour organisations of this city and suburbs. I have complete confidence in the Hon'ble Mr. Saheed Suhrawardy with regard to his capability, with regard to his intellectual capability, with regard to his physical capability, with regard to his capability of organisation. Sir, if it is only directed towards bettering the condition of the poor Indian labourers, I can hope and very honestly hope that he can do a lot of things for the uplift of the Indian labour. Sir, let him forget once for all that he had association with labour movement of Bengal: let him forget once for all that he had connection with the so-called Khelafat movement of Calcutta: let him think and always think that he is the Minister in charge of the Labour Department of the Government of Bengal. Sir, if he thinks and thinks correctly and his idealism is correct I hope and strongly hope that these exploiters, be he Indian or European, German or American, will be driven out of the shores of India, bags and baggage. With regard to Mr. Cooper, the less said the better. He spoke of communism. It is Mr. Cooper and his friends who are driving these poor workers to the verge of communism. The workers want only bare necessities of life: they want food and clothing and nothing else. Sir, with regard to Mr. Khaitan I will not say anything. He is himself a capitalist and he represents one of the big capitalists of India. Sir, he wants adjustment between labour and capital. It is the duty of the capitalists to adjust the conditions of the labour and the capitalist. It is not the business of the poor workers and the labour leaders to adjust the conditions now prevalent in the country. I would only appeal to the Hon'ble Minister in charge of Labour to rise up here and give us an assurance that he prepared to look into the condition of the Indian labourers. Mr. Cooper and his associates with their capitalistic mentality may rise up and say that the lieutenants of the Hon'ble Minister can organise labour on his behalf. Sir, I had the honour to go with him and make speeches with regard to labour policy. Now, when he is the Minister in charge, does it befit him to send trusted lieutenants here and there to organise labour. I beg of the Hon'ble the Chief Minister to rise up once more and give us an assurance that he is the representative of the poor people of Bengal, to rise up and say that he is going to look after the interests of the labourers and that he is not going to look after the interests of the capitalists who have so long exploited enough out of the labour of the Indian labourers, particularly the European exploiters in India. The day is not far distant—I can assure Mr. Cooper and people of his

mentality—if they proceed in this way—when they will have to leave the coasts of India all on a sudden and may not even have time to take what they have accumulated by exploiting India. I ask them to think and ponder.

**The Hon'ble Mr. H. S. SUHRAWARDY:** I think I must render due and proper thanks to my honourable comrade Shibnath Banerjee for moving this motion and rescuing me from oblivion. I was hoping against hope that he would launch some kind of constructive criticism against the Labour policy. I was hoping against hope because, knowing the philosophy which my honourable comrade Shibnath Banerjee and his honourable colleagues entertain, I did not expect that I would get anything but destructive criticism from them. And my expectations have been fulfilled. Not a word is said with regard to the Labour policy; not a word is said with regard to Government stepping in for mediation and conciliation; not a word is said with regard to Government undertaking welfare work for labour; not a word is said with regard to Government recognizing proper trade unions. Instead of that, the answer which I gave earlier in the evening is criticized by him and he points out that there were many inaccuracies. The House will judge whether there were any inaccuracies or not. I must confess to a certain feeling of elation at the confession of comrade Shibnath Banerjee that wherever he went in his efforts to organise or disorganise or excite labour, he was met with the cry that my humble self, happening to be the Labour Minister, his efforts were really directed not in a *bona fide* spirit but in order to oppose me or to arouse labour against me. His evidence is tantamount to this that my humble self sitting here, possibly on account of my association with the Hon'ble the Chief Minister, have been able to impress myself on the labouring population to such an extent that the efforts, not out of comrade Shibnath Banerjee, but of a very large number of persons who are roaming about the field of labour are of little avail. Comrade Shibnath Banerjee says that my statement was incorrect to the effect that most of the mill-hands had gone back to work on the 7th of May. I do not know what justification comrade Banerjee has for making a statement of this nature. Out of 93 jute mills most of whose workers had been on strike at some time or other only 19 mills were out on the 7th of May and we had information that even in the case of these 19 mills, many of the workers were going back to work on the 10th May. I was perfectly right in my statement that there was no general strike existent on that day. It was at the instance of the Hon'ble the Chief Minister and myself, if I may presume to include myself in his company, for we felt that if the labourers went back to work like whipped dogs on the 10th of May it would be letting them down badly, that the Hon'ble the Chief Minister made that statement in order that the labourers may go back to work with a certain sense of dignity and honour, so that, later on they could plead on equal terms

with their employers and ask for legitimate concession. For this we have been derided as strike-breakers; for this because we pleaded with labour that there was no point in their staying themselves further, that there was no point in their being exploited by others; not for their own economic advantage, but for ulterior purposes, that they should go back to work and that this Government had deliberately embarked upon a positive policy of the welfare—for this we have been called strike-breakers. I entirely agree with my hon'ble friend, Mr. Debi Prosad Khaitan, because he knows something about the conditions of labour; how they are milched by the grocers or the one hand; by the Mahajans on the other, and by all kinds of sharks, and over and above that how they are milched by comrades because they have to pay subscription in order that the comrades may be able to go about and organise them. For these reasons I deny what both my hon'ble comrades Shibnath Banerjee and Niharendu Dutta Mazumdar assert regarding alleged terms of settlement. With regard to Mr. Dutta Mazumdar, although he derided Mr. Cooper and advised him to read certain books in order to ascertain what communism was, I have no sympathy whatsoever with his half-baked ideas on communism derived from those books. He does not know what is taking place in Russia and I will not refer to that in this House. There were no terms of settlement because the Jute Mills Association refused to deal with those gentlemen. They never considered them as genuine labour leaders. They may come here and say, we are representatives of 52,000 deluded labourers who voted for us. I do not know how long they will carry this popularity but it was quite apparent to every one that the strike which was being conducted was not a genuine economic strike. It was being conducted for political reasons. It is true they had put forward labour demands, and that the demands were economic in their nature. There is no demand there that detenus should be released; there is no demand there that political prisoners should be released or should be changed from Class B to Class A. They are all economic demands, but it is the motive behind that strike which conditions whether it was economic or not.

**MR. NIHARENDU DUTTA MAZUMDAR:** How could you know that?

**The Hon'ble Mr. H. S. SUHRAWARDY:** We do know it that those who engineered the strike did so with a spirit of revolution.

**MR. NIHARENDU DUTTA MAZUMDAR:** If the Hon'ble Minister denies the right of labour to strike there will be no escape from a mass revolution.

**The Hon'ble Mr. H. S. SUHRAWARDY:** In regard to the statement published by Pandit Jawaharlal Nehru on the relationship between

the Congress on the one side, and the agricultural and labour population on the other, Mr. Niharendu Dutta Mazumdar has stated that labour is the first vanguard of a revolutionary programme; that is how he looks upon labourers, not for their own sake, not that their conditions may be ameliorated, not that they may get something out of their employers but that they may be organised as the vanguard of a revolutionary movement. And after that they call upon me to consider them as genuine labour leaders who are anxious to remedy the economic grievances of labour workers. Sir, they have charged us with not doing our duty with regard to victimisation. Comrade Shibnath Banerjee has referred to what he terms victimisation of 400 persons of the Fort Gloster Jute Mills. I wish he had also referred to the reply that was once given to a question asked in this House, which was to the effect that the workers of Fort Gloster Jute Mills returned to work one month previous to the cessation of the strike, i.e., on the 12th of April. All the men except 300 had gone back to work and the places of these men were filled by others. On the 10th May those men presented themselves for work at a time when their places had already been filled by others, and they could not therefore be taken in. I ask, Sir, is this victimisation? Do I understand victimisation to be this that persons who refused to go back to work even when a strike has ceased, and all their fellow labourers have gone back, should be taken back in their own time? As soon as I got reports of victimisation—and most of them were unreliable reports—I asked the Jute Mills Association to give me their version, and they assured me that there was not a single case of victimisation. It may or may not have been correct, but there is no reason why I should disbelieve them. So far as victimisation is concerned, if there is any case of victimisation let the man concerned say that he has been victimised and let him apply. Not one man did apply, but comrade Shibnath Banerjee applied and comrade Niharendu Dutta Mazumdar applied. You must also remember that as soon as a strike is over and there is no victimisation clause a large number of persons who were not actually at work at the time when the strike began, a number of persons dismissed before the strike, a number of persons who may have been retrenched long ago, all come forward and demand work, and hence every case had to be enquired into to do justice. Every case has to be enquired into to see if there is any real cause for grievance. It is no use sending petitions through this man or that man. If I found on enquiry that there was a real grievance, I would have asked the Jute Mills Association with regard to each case, to let me know whether the man had a real grievance—

**MR. SIBNATH BANERJEE:** Sir, the Hon'ble Minister asked me personally that the worker should apply to the Managers which they did and I gave that information to the Hon'ble Minister.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Sir, I am terribly sorry. The point made by me was partly right. I had asked the men to apply to the Manager first and after having applied to let me know that they had done so.

**Rai HARENDRA NATH CHAUDHURI:** They did both these things.

**The Hon'ble Mr. H. S. SUHRAWARDY:** I had no information; Mr. Banerjee did not inform me; nor did the men inform me. The only information I received from Mr. Banerjee was with regard to the Fort Gloster Mill; this was not a case of victimisation. Now I understand that a number of persons have been dismissed by the various mills. Mr. Cooper has said on the floor of the House this afternoon, speaking about his own mill, that these men were dismissed not on account of the strike, i.e., for joining the strike but on account of indiscipline, insubordination and lawlessness within the mill long after the strike. I can confirm it because I have been keeping myself in touch having given an assurance that there would be no victimisation and that I would see—and Government would try its level best to see—that the jute mills carried out the assurances that there would be no victimisation. I have been in touch with the affairs in the mills and I have found that there were cases of indiscipline, lawlessness, continued refusal to work, threatening the Managers, defying them, and even felling them that the workers had power to dismiss the Manager himself. In spite of this state of things no Manager dared to dismiss a single man for if he did so, he knew that he would be charged here by our comrades on the floor of the House of victimisation. It was only when matters came to such a pass and affairs became intolerable, and the Managers found they could not proceed with their work that they took courage in both hands. The Indian Jute Mills Association took no responsibility for the conduct of such labourers. When the workers developed such a defiant and disciplinary mentality that they considered themselves to be masters of the mills, the Managers had no other alternative than to get rid of them, and take the consequences. In spite of this I have been in correspondence with the mills and I have asked for the reasons why these men have been dismissed. If I am not satisfied with the reasons for dismissal, I shall have an investigation made by the officers of my department and then if I am not satisfied I shall take further steps in the matter. (A VOICE: What further steps?) I may appoint a Committee of Enquiry—I may take any number of steps. I may first request the Indian Jute Mills Association to take back as many of the men as they can. I may however tell my labour friends that these men had to lose their jobs because they developed the awful mentality I have described before. As I have

said I shall try to see that jute mills take back the men and if they are unable to do, so they must give satisfactory reasons, and if I am not satisfied by their reasons I shall take such further steps as I feel advisable.

Maulvi Aftab Ali has stated that I first consented to have an enquiry under the Trade Unions Act and I subsequently resiled from that. Why did I do this? He says that my first accession to their request, was due to the fact that I recognised them as labour leaders. It is perfectly true that I did recognise them as such and I hoped and thought it was a *bona fide* trade dispute. I closed my eyes at that moment to the manner in which this strike was actually developing. When the strike took place, not in one mill but in several, no demands were formulated and presented to the employers. Gentlemen of this House ought to know how a strike, which is not a political strike, is or should be conducted. In a proper strike demands are formulated, attempts at mediation and conciliation are resorted to, and the demands are presented to the employers and if the employers do not accede to such of them as are reasonable or refuse to listen to the terms which are reasonable in themselves, then a strike takes place. In these cases the strike took place without any demands having been presented to the employers until after about 1½ months. The Howrah Jute Mills struck on the 2nd of February and it was composed on the 26th February. On the 24th February there was a strike at Budge Budge; on the 28th March the Central Jute Mill Strike Committee formulated the demands of the strikers. Even at that moment I closed my eyes to the manner in which things were done and I said that I would appoint a Committee or a Board of Conciliation. Then what was the reply I got—this happened on the 12th of April. The reply was “We do not want your Board of Conciliation; we do not want Government to interfere; we want to have an increase in the pay; and if you cannot give us an increase, stand aside. I am going to Titagarh and will bring about a strike.” That, Sir, was the reply given to me. Was that *bona fide* or honest? There is no more powerful weapon in the hands of Government than to appoint a Conciliation Board for the purpose of bringing about an end of the strike. What sort of responsible labour leaders are they who reject the appointment of a Board of Conciliation—

**MR. SIBNATH BANERJEE:** Sir, may I rise to correct the statement made?

**MR. SPEAKER:** I have been very carefully following the Hon'ble Minister's speech and I did not find anything that is open to correction. If there is, I will certainly allow you to do so. I do not think that you have anything but a personal explanation to offer and that I can hardly allow in the midst of a debate.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Sir, on the very next day—the 13th April in Titagarh a strike was brought about. I knew that emissaries had gone there—my friends had established contacts in all the mills. I had accepted the invitation extended to me by the Kankinarah Labour Union of addressing the jute workers on the 17th, and I am thankful to say that the policy which I laid down there has been commented on in the most favourable terms by all persons who really want to improve the condition of labour; not in this country alone, but I am gratified to say also outside this country. I spoke there on the 17th and about 4 days later—the 21st—the emissaries succeeded in bringing about a strike in the Anglo-Indian Jute Mill and thereafter the whole of that area was ablaze. Do you call it an economic strike? Although two and a half lakhs of men were involved most of the strikes engineered began to crumble within a short space of time. After the 12th April I found it impossible to reason with the men, it was impossible to get something reasonable from these gentlemen, who acted as their spokesmen, and I felt that it was far better that Government should work in its own manner for the welfare of labour than appoint a Conciliation Board. I may tell the House that in spite of what happened and in spite of the obstructive tactics of the gentlemen opposite, of our comrades who know so very little with regard to labour conditions in the jute mill area, I have from my own personal knowledge of the conditions and difficulties of labour not only in the jute mill area but also in other industries started an investigation and have sent out questionnaires with a view to overhauling the labour conditions in each industry. I may say at once that if I am not satisfied that I am getting a fair deal for the employees, I shall not have the least hesitation in appointing Committees of Enquiry. I am convinced that this Government must give a fair deal to labour. But, Sir, I will not allow labour to be exploited for political purposes. In this definite enunciation of my policy my conscience is clear; and if I should be defeated, I shall go out with colours flying, satisfied that I had done for labour and for the constitution as much as it was humanly possible to do. But I will reiterate that on no condition will I allow labour to be exploited for political purposes.

The motion of Mr. Shibnath Banerjee that the sum of Rs. 1,18,53,000 be reduced by Rs. 17,950 was put and lost.

#### Adjournment.

The House was then adjourned till 10-30 a.m. on Saturday, the 21st August, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Saturday, the 21st August, 1937, at 10-30 a.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, the eleven Hon'ble Ministers and 205 members.

**STARRED QUESTIONS**

(to which oral answers were given)

**Opening of a canal from Padma to Bhagirathi.**

\*75. **Mr. SASANKA SEKHAR SANYAL:** (a) Is the Hon'ble Minister in charge of the Communication and Works (Irrigation) Department aware—

- (i) that for several years successively a large portion of the district of Murshidabad known as Bagri and Kalantar has been experiencing disastrous flood resulting in an almost complete destruction of *aus* paddy just on the eve of harvesting;
- (ii) that the direct cause of such flood is the overflow of river water from the Padma and its tributaries, namely, the Julangi, etc.;
- (iii) that this overflow of the Padma is partly due to a heavy backrush of currents in the river caused by the obstruction at Sara bridge;
- (iv) that this overflow is largely due to the fact that the main stream in the Ganges (parent river) does not find a free flow, as it used to do before, into the Bhagirathi on account of the Chhapghati *mohona* and other *mohonas* up and down Chhapghati having been silted up by gradual deposit of sand; and
- (v) that several years back Mr. Willcocks (since dead), an authority on irrigation and canal works, locally surveyed the areas from Chhapghati down the Padma and the Bhagirathi and submitted a scheme to the Government, based upon his

personal experience of a successfully working system in the Nile area?

(b) If the answers to (a) are in the affirmative, will the Hon'ble Minister be pleased to state, what action, if any, does he propose taking in the matter?

(c) Are the Government considering the desirability of taking steps for opening the mouths of the Bhagirathi?

(d) Do the Government intend publishing the report of the late Mr. Willcocks with Government's views on the same?

(e) Are the Government considering the desirability of laying a bund along the bank of the Padma with sluice-gates at convenient and necessary spots?

(f) Are the Government also considering the desirability of opening a canal or canals, or diversion courses, from the Padma to the Bhagirathi?

**MINISTER in charge of COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Kasimbazar):** (a) (i) and (ii) Yes.

(iii) This is not a fact.

(iv) Yes.

(v) Sir William Willcocks delivered lectures on the subject in Calcutta and his proposals were considered by the then Government.

(b) River spill, provided that waterlogging does not result and provided that the depth of inundation is not such as to damage crops, is beneficial in that it fertilises the soil and improves the sanitary condition of the tract spilled over. Hence attempts will be made to open out spill channels, and to keep all drainages free from obstruction and to improve the distributary rivers in order to dispose of the flood waters rapidly.

(c) Yes.

(d) The lectures delivered by him were published.

(e) No.

(f) The subject will be considered in connection with the resuscitation of the spill channels of the Padma.

**Maulvi ABDUL BARI:** With regard to the answer to question (iii), is it not a fact that the obstruction of the flow of water is due to the Harding Bridge? And if not, what are the other causes?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**  
No. There may be various causes which will be looked into in due course.

**Maulvi ABDUL BARI:** Is it not a fact that on several occasions in the past His Excellency the Governor as well as several Ministers in the course of their visits to Murshidabad gave assurances to open the mouth of the Ganges at Chapghati?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**  
It may be, but I am personally not aware of such assurances. I am however aware that the matter has been receiving the attention of Government for some time in the past.

**Maulvi ABDUL BARI:** When will Government take steps in this direction?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**  
After the contour survey is completed.

**Maulvi ABDUL BARI:** How much money was spent by Government in connection with floods in the district of Murshidabad in 1936?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**  
I require notice.

**Mr. TULSI CHANDRA GOSWAMI:** I would like to ask the Hon'ble Minister whether in regard to answer (d) there is any scheme formed by Government for investigation?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**  
We are examining the matter, but we have not formulated any scheme as yet.

**Adoption of "Sree and Lotus" by the University of Calcutta as its crest.**

**\*76. Maulvi ABDUL LATIF BISWAS:** (a) Is the Hon'ble Minister in charge of the Education Department aware that there is a

feeling of agitation amongst the Muslims of Bengal over the adoption of "Sree and Lotus" by the University of Calcutta as its crest?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, the Government have taken or do they propose taking in the matter?

**MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** (a) Yes.

(b) The matter has been taken up and it is hoped that a satisfactory solution will soon be arrived at.

**Maulvi ABDUL BARI:** What steps have been taken till now for removing the emblem of "Lotus" and "Sree" on the crest of the Calcutta University?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have been in correspondence with the Calcutta University, but no definite solution has yet been arrived at.

**Maulvi ABDUL LATIF BISWAS:** Is the Hon'ble Minister aware that Muslims regard "Sree" and "Lotus" as emblems of idolatry?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Yes, Sir.

**A Member:** What is the idea behind the emblem of "Sree" and "Lotus"?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not in a position to answer that question which is one of the points that have been referred to the University.

**Mr. ATUL KRISHNA CHOSE:** Is the Hon'ble Minister aware that there are lotuses inscribed on the face of the rupee coin, and in view of that, is he prepared not to proceed further with the matter?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** There may or may not be lotuses, but I have not seen them.

**Maulvi ABDUL LATIF BISWAS:** Do not "Lotus" and "Sree" signify the emblem of a deity?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have already admitted that "Sree" and "Lotus" are regarded by Muslims as an emblem of idolatry.

**Mr. ATUL KRISHNA CHOSE:** My question about lotuses appearing on the face of the rupee coin has not been answered yet, Sir.

**Mr. SPEAKER:** If the Hon'ble Minister has not seen it, I cannot help you.

**Maulvi ABDUL LATIF BISWAS:** Has there been any correspondence with the University and has any reply been received?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Yes, we have had correspondence with the University. We have written several letters and received as many replies thereto.

**Maulvi ABDUL BARI:** Is it a fact that "Sree" and "Lotus" are considered as a national emblem?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware, Sir.

**Dr. NALINAKSHA SANYAL:** Is not the lotus considered to be a beautiful flower of Bengal?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I should like to make the position clear here. Had it been merely "Sree" or "Lotus," there may not have been any objection, but the combination of the two is being regarded by the Muslim community as a deliberate insult to Muslim sentiment.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister aware that the Bageswari Professor of Fine Arts who happens to be a Muhammadan at the present moment approves of this "Sree" and "Lotus" as an emblem of art?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware of that.

**Mr. SYED JAZALUDDIN HASHEMY:** How long has this emblem been used by the University and has any Muslim member of the Senate or Syndicate taken any objection to it?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** There are several supplementary questions put by Mr. Hashemy. I wish to have the questions put and answered one by one.

**Mr. SYED JALALUDDIN HASHEMY:** How long has this insignia been in use as a crest by the University?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I want notice.

**Mr. SYED JALALUDDIN HASHEMY:** Has any Muslim member of the Senate or the Syndicate ever taken any objection to it?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I cannot say, because I am not aware when it was introduced:

(At this stage, a rupee coin was handed over to the Hon'ble the Chief Minister by Dr. Sanyal.)

**Mr. ATUL KRISHNA CHOSE:** After seeing the rupee coin, will the Hon'ble Minister raise any objection to lotuses appearing on the face of the rupee coin?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** My attention has been drawn to something on the rupee coin which may be taken to be lotuses, but I do not admit, Sir, that they are clearly lotuses. I have already said, had it been merely a lotus or sree, there may not have been any objection, but the combination of the two are objected to by the Muslims. (A VOICE: A coalition.)

**Mr. RASIK LAL BISWAS:** Was not the Hon'ble the Chief Minister a member of the University when this "Lotus" and "Sree" was introduced?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I was a member for some time of the Senate of the Calcutta University, but its introduction was never made in consultation with the members of the Senate. It was only after a country-wide agitation had been started that I came to know that "Sree" and "Lotus" are on the emblem.

**Maulvi ABDUL BARI:** Is it not a fact that the Muhammadan students of the Calcutta University boycotted the Foundation Day Ceremonies on account of the use of "Sree" and "Lotus" on the emblem of the University?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Yes, Sir, that is a fact.

**Mr. SPEAKER:** Next question.

**Mr. RASIK LAL BISWAS:** May I put another supplementary question, Sir.

**Mr. SPEAKER:** I have already given the widest possible latitude to all sections of the House, and called the next question. You should not therefore press for another supplementary question. You will have a further opportunity to discuss the same matter when the Education Budget comes up.

### UNSTARRED QUESTIONS

(to which answers were laid on the table)

#### Price of jute and sugarcane.

**7. Mr. NISHITHA NATH KUNDU:** (a) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware—

(i) of the extreme economic distress of the agriculturists in the province; and

(ii) that abnormal fall in the price of agricultural products generally and that of jute specially is responsible for such economic distress?

(b) If the answers to (a) are in the affirmative, will the Hon'ble Minister be pleased to state whether Government contemplate early steps to fix the minimum price of jute and sugarcane after due enquiry?

**MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca):** (a) (i) and (ii) I am aware that the general fall in agricultural prices during recent years has caused considerable distress to the agriculturists of Bengal.

(b) The question of fixing minimum price for sugarcane was referred to a committee consisting mainly of non-officials last year and they were not in favour of such action. This question is again being considered but the action to be taken must depend on the recommendations to be made by the Tariff Board who are now investigating the case of the sugar industry.

The question of fixing a minimum price for jute is one which is being investigated by the Central Jute Committee. The results of their enquiry are awaited.

**Remuneration of extra copyists of the office of Registrar of Assurances,  
Calcutta.**

**8. Rai HARENDRA NATH CHAUDHURI:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(i) the average highest monthly income and the lowest average monthly income of extra copyists of the office of the Registrar of Assurances, Calcutta, in—

(1) 1926, and

(2) 1936; and

(ii) whether the question of remuneration of these extra copyists is under consideration of the Government?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (i)—

Year.				Highest average monthly income.	Lowest average monthly income.
				Rs.	Rs.
1926	..	..	..	25	15
1936	..	..	..	35	17

(ii) The Inspector-General of Registration, Bengal, is considering this question.

**A Member:** How many extra copyists are there in the office of the Registrar of Assurances, Calcutta?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware, and I would require notice.

**Unemployment problem.**

**9. Mr. AMBITA LAL MANDAL:** (a) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware of the problem of unemployment in Bengal?

(b) If the answer to (a) is in the affirmative, what steps, if any, do the Government intend to take to meet the situation?

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:**

(a) Yes.

(b) I cannot answer for what may be done in other departments but so far as my departments are concerned, which deal principally with middle-class unemployment, a number of schemes are under consideration for the improvement and expansion of those which are already in existence for giving training in various forms of industry and agriculture and affording financial assistance to unemployed middle-class persons to enable them to set themselves up in business.

**Maulvi ABDUL BARI:** What schemes have up till now been taken in hand by the Hon'ble Minister in regard to the problem of unemployment amongst *bhadralok* youths?

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:** I would request the honourable member to wait till the Industries Budget is introduced by me when I shall have an opportunity of laying before the House the policy of Government so far as this Department is concerned.

**Mr. ABDULLA-AL MAHMOOD:** When does he propose to do that?

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:** I have already said that I shall lay down the policy of the Department when presenting the Industries Budget.

#### Introduction of primary education in Mymensingh.

**10. Maulvi MUHAMMAD ISRAIL:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

- (i) the amount necessary for the introduction of the Primary Education Act in the district of Mymensingh;
- (ii) the estimated receipt from the education cess in the said district; and
- (iii) the amount that is now spent from the provincial revenues for the primary education in the said district?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (i) It has been estimated that a fairly good start could be made with Rs. 11,70,000 per annum.

(ii) Rs. 9,67,198.

(iii) Rs. 1,83,140.

**A Member:** In view of the fact that collection of the education cess is in progress in the district of Mymensingh, will the Hon'ble Minister be pleased to state the reasons why primary education has not yet been introduced in that district?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It was proposed to levy an education cess in the District of Mymensingh. Arrangements were complete, but as soon as we took office, an agitation was started in Mymensingh and numerous telegrams were sent to us objecting to the imposition of the cess. In consideration of that fact, and in deference to the large volume of public opinion, we have stopped the imposition of the cess at the present moment, and I may inform the House that it is one of the points on which we are labouring to try and see how we can introduce primary education without the imposition of any taxation.

**The same member:** Will the Hon'ble Minister be pleased to state whether it is a fact that the District School Board unanimously passed a resolution requesting the Government to give effect to the Act immediately?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It is a fact that the District School Board has been insisting on the imposition of the cess, and I have already said that we are going to make a supreme effort to introduce primary education without taxation. If any taxation is necessary, we will consider how far we shall have to give effect to the taxation proposals of the Primary Education Act.

**Filling up of the posts of Sheristadars and Superintendents of the  
Collectorates by Muslims.**

**11. Mr. A. M. ABDUL HAMID:** (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

- (i) the number of posts of revenue Sheristadars and Superintendents of the Collectorates in the province; and
- (ii) the number that are Mussalmans?

(b) Will the Hon'ble Minister be pleased to state whether Government consider it desirable to fill 50 per cent. of these posts by Muslims?

(c) If the answer to (b) is in the affirmative, do the Government intend to take steps to retire immediately the Sheristadars and Superintendents who are in extension of service and to fill up the vacancies by qualified Muslim clerks of the Collectorate?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):** (a) (i) 27, and (ii) 2.

(b) No, the post of Superintendent is a very important one, and it is essential that promotion to this post should be on merit alone.

(c) Does not arise.

**Mr. A. M. ABDUL HAMID:** On whose recommendation are these appointments made?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** On the recommendation of the District Collectors.

**Mr. A. M. ABDUL HAMID:** Is it not a fact that these appointments are made not by the Collectors, but by the Board of Revenue?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I require notice.

### Estates under the Court of Wards.

**12. Maulvi MD. HASANUZZAMAN:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing—

- (i) the number of estates now under the Court of Wards;
- (ii) the names of (1) Muhammadan, and (2) Hindu estates;
- (iii) the names of Managers of the respective estates?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** A statement is laid on the table.

*Statement referred to in reply to unstarred question No. 12.*

(i) 138	..	..	Hindu	..	105
			Muhammadan	..	28
			Others	..	5
					<hr/> 138

(ii) and (iii) List of Hindu Estates.

Names of Managers.

1. Mahisadal	..	Babu Upendra Nath Banerjee.
2. Basudebpur	..	} Babu Dharendra Chandra Sen.
3. Panchrole	..	
4. Balishai	..	
5. Pahari	..	
6. K. O. Chatterjee's Trust	..	} Babu Durga Sankar Ray.
7. Chowdhury Soudamini Dasi	..	
8. Kumar Krishna Mukherjee	..	
9. Anukul Chandra Banerjee	..	
10. Sailendra Kinkar Pal	..	
11. Bholanath Das Mahapatra	..	

List of Hindu Estates.	Names of Managers.
1. B. L. Mukherjee's Trust	} Babu Kamada Charan Sanyal.
13. P. Mukherjee	
14. Janbazar No. I	} Babu Prabhendra Mohan Gupta.
15. Janbazar No. II	
16. Bhukailash No. I	} Mr. S. D. Ghoshal (Honorary Manager.)
17. Bhukailash No. II	
18. Panihati No. I	} Babu Sudhir Chandra Sen.
19. Panihati No. II	
20. Raha	} Babu Baiduntha Chandra Sen.
21. Bhowanipur (Barataraf)	
22. Bhowanipur (Chototaraf)	} Babu Satish Chandra Guha.
23. R. N. Roy	
24. Chetlangia	} Babu Birendralal Roy.
25. Indira Debi	
26. Kasimbazar Raj	} Rai Jitendra Nath Sarkar Bahadur.
27. Lalgola Raj	
28. Mukherjee	} Babu Upendra Chandra Sen.
29. Bagehar Rai	
30. Bagehar Chowdhury	
31. T. C. Chowdhury	
32. Bumagati	} Babu Karticpada Basu.
33. Naldanga	
34. Gobardanga (Barataraf)	} Babu Paresb Nath Basu.
35. Gobardanga (Sejotaraf)	
36. Khararia	} Rai Saheb Upendra Nath Ghosh.
37. Bhowal	
38. Banglabazar	} Babu Jogendra Kumar Mukherjee.
39. Swarnamoyee Debi	
40. Murapara Barataraf	} Babu Nayanendra Chandra Sen.
41. Dhankora No. I	
42. Golokpur	} Maulvi A. M. M. Khan (officiating).
43. Goyhatta	
44. Sherpur No. I	
45. Sherpur No. II	
46. Rajorshi	} Babu Jyotirindra Nath Roy.
47. Susang Baratababil	
48. Dakshinshabazpur	} Babu Rasikranjan Maitra.
49. N. K. Basu	

## List of Hindu Estates.

## Names of Managers.

50. Amrajuri	
51. A. K. Debi	
52. B. L. Roy and others	
53. S. P. Ghosal	
54. S. B. Ghosal	} Babu Prafulla Kumar Sen
55. S. Ghosal	
56. S. S. Ghosal	
57. Madhabpacha	
58. Basan Na (managed jointly with other estates).	Babu Jnanendra Nath Banerjee.
59. Nani Gopal Mukherjee	Managed by Collectorate Nazir.
60. Raj Kissen Banerjee	
61. Ram Prasad Tewari	
62. Surendra Bijoy Roy	
63. Ram Kumar Kishori Mohan Roy	} Babu Sudhir Chandra Dey.
64. Lakshi Kamini Sen	
65. Noapara	
66. Ghosal	
67. Padua Gupta	
68. Banigram Roy	
69. Pramila Debi and daughters	} Babu Kamesh Chandra Sen.
70. Jogesh Chandra Roy	
71. Bhukailash (Tippera)	
72. Majitpur	
73. Sachar	} Babu Bhupendra Nath Bhattacharjee.
74. Tagore	
75. Bardhan	
76. R. K. Bose and others	
77. B. C. Saha	} Babu Hem Kumar Bose.
78. Brikutsa	
79. Agradwip	
80. Mahadebpur	} Babu Basanta Kumar Guha.
81. Puthia	
82. Janbazar No. II (Dinaipur)	Babu Narendra Nath Chakravarty.
83. Majdiha	Babu Mohit Chandra Banerjee.
84. Maldwar	Babu Birendra Kumar Guha.
85. Mallick No. I	
86. Mallick No. II	} Babu Prafulla Chandra Das.
87. Haripur Barataraf	
88. Deb Barma	Babu Kiran Chandra Chakravarty.
89. Bahin	Babu Satish Kamal Sinha.
90. I. C. Roy Trust	Under the Collector direct.
91. Bardhankuti	Mr. S. C. Roy (Honorary Manager.)
92. Tushbhandar	Babu Umesh Chandra Acharya.
93. Kakina	Babu Himangshu Mohan Raye.

List of Hindu Estates.	Names of Managers.
24. Bamandanga	.. Babu Siddheswar Pakrasi (Honorary.)
95. Lahiri (Junior)	.. (Babu Nagendra Ch. Lahiri (Honorary.)
96. Lahiri (Senior)	.. Babu Dhirananda Das.
97. Tajhat	.. Babu Sachindralal Roy.
98. Radhaballav	.. Mawvi Mir Hossain.
99. Kamarpukur	.. } Babu Niharbindu Ray.
100. Poyda	.. }
101. Tagore (Pabna)	.. Babu Jogesh Chandra Sinha.
102. Suksena	.. Babu Rajendra Nath Ghosal.
103. Naokhila	.. Babu Jagendralal Pakrashi.
104. Natore	.. Babu Dinesh Chandra Dutt.
105. Searsole	.. Babu Prabhat Chandra Sen (Additional Manager.)

List of Muhammadan Estates.	Names of Managers.
1. Pratappur	.. Babu Monoranjan Das.
2. Syedpur Trust	.. Maulvi Md. Sheikh Yunus.
3. Nawab K. Habibullah and others	} Maulvi Md. Wahya.
4. Heirs of Nawabzada K. Attickollah	
5. K. Md. Ismail and another	
6. K. Nooruddin and another	
7. Hon'ble Khan Bahadur Syed Abdul Hafeez.	
8. Nawabzadi Peri Banu	..
9. Hon'ble Sir Nazimuddin and another.	..
10. K. Md. Adel and others.	..
11. Kazi Alauddin (managed jointly with other estates).	Babu Nayanendra Chandra Sen.
12. Haibatnagar (managed jointly with other estates).	Maulvi A. M. M. Khan (officiating.)
13. Dasmina (managed jointly with other estates).	Babu Prafulla Kumar Sen.
14. Chaudhury Md. Ismail Khan (managed jointly with other estates).	} Babu Jnanendra Nath Banerjee.
15. Mst. Halima Khatun (managed jointly with other estates).	
16. Mst. Kazia Begum and others (managed jointly with other estates).	
17. Banna (managed jointly with other estates).	

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| 18. | Habiganj   | Maulvi A. F. M. Abdul Karim.       |
| 19. | Mst. Karimunnessa Begum<br>(managed jointly with other<br>estates).    | } Babu Ramesh Chandra Sen.         |
| 20. | Chauphaldandi (Khan Sahib)<br>(managed jointly with other<br>estates). |                                    |
| 21. | Comilla Nawab  | } Babu Mahendra Lal Sarkar.        |
| 22. | Badarennessa   |                                    |
| 23. | Kazi   | Babu Subodh Kumar Ghosh.           |
| 24. | Pashimgaon (managed jointly<br>, jointly with other estates).          | Babu Bhupendra Nath Bhatta<br>jee. |
| 25. | Choughoria Ahia (managed jointly<br>with other estates).               | Babu Basanta Kumar Guha.           |
| 26. | Afanulla Trust   | } Under the Collector direct.      |
| 27. | Reazuddin Trust  |                                    |
| 28. | Mahipur (managed jointly with<br>other estates)                        | Babu Niharbindu Ray.               |

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state whether these estates have been taken over by Government because the proprietors are incapable of managing their estates?

**Dr. NALINAKSHA SANYAL:** What are the reasons for having taken over those estates by the Court of Wards? . . .

**MR. SPEAKER:** I think the statement shows the number of estates taken over by the Court of Wards, and as such, any question as to why the estates were taken over is perfectly in order.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** There are various reasons why these estates have been taken over; some of them were

taken over on the ground that the proprietors are minors, or ladies; in some cases they were taken over, being encumbered estates, on the application of the proprietors themselves.

**Dr. NALINAKSHA SANYAL:** (In case a gentleman happens to be in this list, is he not incapable of managing the Government estate, if he has been considered incapable of managing his own estate?)

**M. Speaker:** Order, order. That question is not in order.

**A Member:** Will the Hon'ble Minister be pleased to state whether the very fact that an estate is encumbered is a ground for Government to take over charge of that property?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Yes, Sir. The proprietors in such cases apply for being declared disqualified proprietors, and there is a section in the Act under which Government can declare them to be disqualified proprietors. In such cases, Government exercise their discretion.

**Mr. SASANKA SEKHAR SANYAL:** Will the Hon'ble Minister be pleased to state whether statutory power is given to each of these court of wards estates?

**Mr. SPEAKER:** That question does not arise.

**Mr. RASIK LAL BISWAS:** May I know whether all the zemindars whose names are on this list are disqualified proprietors.

**Mr. SPEAKER:** Order, order. He has already answered as to why these estates have been taken over. Your question is therefore merely a repetition.

### Short Notice Question.

**550. Mr. SURENDRA MOHAN MAITRA:** (a) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state:—

(i) whether it is a fact that the condition of four of the hunger-strikers in the Andamans Islands is precarious; and

(ii) whether he has received any communication from the Government of India about the condition of the hunger-strikers?

(b) If the answer to (a) (ii) is in the affirmative, will the Hon'ble Minister be pleased to state the contents of the communication?

(c) Has the Hon'ble Minister received any communication regarding the condition of the hunger-strikers from the Chief Commissioner of the Andamans?

(d) If the answer to (c) is in the affirmative, will he be pleased to state the contents of such communication?

(e) Is the Hon'ble Minister considering the desirability of permitting two members of the Congress Assembly Party to go and visit the hunger-strikers in the Andamans to discuss their grievances with the prisoners, and to persuade them to give up the strike?

(f) If so, is the Hon'ble Minister considering the desirability of issuing such permission forthwith?

**MINISTER in charge of HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin):** (1) (a) to (d): The latest information in my possession is that the number of terrorist convicts on hunger-strike is 225; three of them are on the seriously ill list, the condition of one of them being critical.

(2) This is a matter for the Government of India.

**Mr. SURENDRA MOHAN MAITRA:** Will the Hon'ble Minister consider it fit to send a communication to the Government of India recommending that any two members of our party be permitted to see the hunger-strikers in order to dissuade them from the strike?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** The communications between the Government of Bengal and the Government of India are of a confidential nature, but so far as forwarding the request that has been made is concerned, the Government of Bengal will consider that question. I may inform the House that from Monday next the Central Assembly will be sitting, and the representatives from Bengal can place all the questions in that Assembly.

**Mr. TULSI CHANDRA COSWAMI:** May I submit that although there will be an opportunity of raising the question in the Central Assembly, the hunger-strikers may not probably survive the strike till then. Therefore, the question put by my honourable friend simply asks the Government to consider the desirability of making it easy for some of the representatives of Bengal to visit the Andamans in order to dissuade them from continuing the hunger-strike.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** The Government of Bengal will consider this question, but what we are going to write to the Government of India I cannot disclose, because it is confidential. All communications between the Government of India and the Government of Bengal are confidential.

**Mr. JOGESH CHANDRA GUPTA:** Will the Hon'ble Minister be pleased to state if they have any objection to any effort being made by members on this side of the House to persuade the hunger-strikers to give up the strike?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Not only have we no objection, but we are trying our level best from every source to persuade them to do so, and in this connection I may again inform the House that the position of the Government of Bengal is that in the debate that was held here on the Andamans question, the mover of the motion laid stress on two main issues, namely, classification and repatriation. Our replies, I may repeat again, are, as regards classification, that the Government of Bengal are prepared to take up this question immediately after the present session of the Legislature, and as regards repatriation, we are prepared, as soon as the hunger-strike is over, to sit round the table and discuss with the members of this and the Upper House. I am further in a position to state in this House that we have an assurance from the Government of India that there will be no victimisation.

**Mr. SURENDRA MOHAN MAITRA:** Does not the Hon'ble Minister think that the presence of two members from this side of the House at the Andamans at this critical juncture will go a great length in persuading the hunger-strikers to abandon the strike?

**Mr. SPEAKER:** That is a matter of opinion.

## DEMAND FOR GRANT.

### 25—General Administration.

**Maulvi TAMIZUDDIN KHAN:** I beg to move that the sum of Rs. 1,18,53,000 demanded for expenditure under the head "25—General Administration" be reduced by Rs. 100.

My object in moving this cut motion is to enter my emphatic protest against the drastic and indiscriminate manner in which the certificate procedure is being applied in Bengal for the realisation of rents from the agricultural tenants. I think, Sir, the framers of the Public Demands Recovery Act never imagined that the provisions of that law would ever be applied for purposes like this. We all know the manner in which the certificate procedure is being applied for the realisation of rents. It is being applied in a most drastic manner so much so that the Public Demands Recovery Act and this certificate procedure is regarded by the Bengal tenants as a veritable terror. The different fields in which the certificate procedure is applied may be said to be

three. First of all the procedure is applied for the realisation of rents from *khas mahal* tenants; secondly, it is applied for the realisation of rents due to landlords whose estates are under the management of Government or under the court of wards; and thirdly, it is also used for the realisation of rents due to certain private landlords who are invested with the powers of certificate procedure under the Bengal Tenancy Act. I have already stated, Sir, that it is being used in a most indiscriminate manner. It may be said that landlords are in arrears in respect of their dues. Why should there not be therefore some easy and expeditious procedure for the realisation of their dues? I submit that these arrears generally accumulated during the days of economic depression. In those days the Bengal *rayats* were helpless. But look at the treatment meted out to Bengal *rayats* during those days. Whereas during that period there were remissions of rent elsewhere, in Bengal the certificate procedure was being used against them as drastically and as merrily as ever. That was the treatment meted out to Bengal *rayats* during those days of depression. There is no justification whatsoever for the application of this drastic procedure for the realisation of rents from agricultural tenants. Sir, is the Bengal *rayat* recalcitrant? I say most emphatically that he is not. The Bengal *rayat* is proverbially meek, submissive, law-abiding and God-fearing. We know that to the Bengal *rayat* the payment of rents is regarded not only as a legal obligation but also as a religious duty. A *rayat* who dies without being able to pay his rent or his dues to the *mahajan* thinks that he is dying with a burden of a sin on his shoulder and instances are not rare in which he does not even take advantage of the law of limitation and in many cases he has been seen to pay rents which were due from him 16 years ago without any hesitation. That being so, my question is why a drastic law should at all be applied for the realization of rents from those people. If the Act was judiciously applied, then probably this complaint might not have arisen at all. But the manner in which it has been applied has given rise to widespread complaints. If this power of realising rents by certificate procedure is still exercised by the landlords and the court of wards, I think nothing can induce the Bengal *rayat* to believe that in future this Act will be more humanely applied. So far as the realization of rents of estates under the court of wards is concerned, it seems that the question has been raised by my friend, Dr. Sanyal, whether persons who are considered to be disqualified to manage their own estates should be considered capable of managing the affairs of other persons and of being vested with the highest responsibility of the State. That is altogether a different question, Sir. And as the Hon'ble Sir Bijoy Prasad Singh Roy has pointed out, it is not always a fact that because a proprietor is disqualified or incompetent that his estate comes under the court of wards, but there may be other causes as well. My

submission is that the certificate procedure should no longer be applied for the realisation of the dues of estates now under the court of wards. Secondly, the investment of private landlords with the power of certificate procedure is considered by the Bengal *raiyats*, and by every right-thinking person as an obnoxious and atrocious procedure. Almost all the proprietors who have been given this power have abused it, so much so that the *raiyats* under such landlords are much more unhappy than those *raiyats* who are not under them. I think this question was raised previously on the floor of this House and an assurance was given by Government that in future the policy of investing private landlords with this power would be reviewed and that this power would be very sparingly used. But I submit that nothing to that effect has been done and private landlords are being freely invested with powers of certificate and they are using such powers as flagrantly as ever. I think therefore that the first thing that Government can do is to do away with this provision in the Bengal Tenancy Act. The relevant section is section 158A. Government, I understand, is going very soon to introduce a Bill for amending the Bengal Tenancy Act. If Government is really earnest to do something in this direction, the best course that Government can take is to incorporate a clause in the proposed Bill for repealing this section 158A and the other cognate sections 158AA and 158AAA. I think this is a very modest demand that I am making, although the demand that is being generally made by the other members is that the whole Act should be repealed. They demand that there should not be any Act like the Public Demands Recovery Act on the statute book. Whether it is feasible or not should be examined. So far as I am concerned, I am not soaring so high as to ask for the repeal of the whole Act just at the present moment, but the least that Government can do is to repeal those sections of the Bengal Tenancy Act. With these few words, Sir, I place my motion before the House for its acceptance.

**Mr. SPEAKER:** Mr. Surendra Mohan Maitra, will you kindly note that I am henceforth allowing ten minutes only for speeches?

**Mr. SURENDRA MOHAN MAITRA:** All right, Sir, I shall be very short.

I rise to accord my whole-hearted support to the honourable member from Faridpur. Sir, this certificate procedure has been in my view, and in the view of many others, as being a State tyranny, and is a State tyranny. I know that in the name of realization of dues, police are sent out to realize dues that can be recovered under the Public Demands Recovery Act, and the result has been that the whole house has been practically looted and even the grain-seeds taken away. I

know that in a court of wards estate, viz., the Kasimbazar estate in my district, some time ago these things actually happened. This is not a stray case, Sir; this is the usual case in matters of realization of dues under the Public Demands Recovery Act. I put a question to my honourable friend the Hon'ble the Revenue Minister whether encumbrance is a ground for taking over charge of private estates. I assert—and assert with all the force I can command—on the floor of this House that many of the estates with whose names many of us here are acquainted were taken over by Government simply because the proprietors of those estates had been spendthrifts and spent all their money on the two V's.

**MR. SPEAKER:** Order, order. I am afraid you are going beyond the limits of decency.

**MR. SURENDRA MOHAN MAITRA:** Very well, Sir, I withdraw my remark.\* In my opinion an amendment of the Court of Wards Act has long been overdue. State protection should be given really to those persons who are ladies, infants, insanes, or to those who are incapacitated by habitual illness or something like that, but in the name of other things, on other considerations, estate after estate has been taken over by Government, and the result is that the estate is saved, but the tenants are tyrannised. Even in the case of Government estates, i.e., the *khas mahal* estates, it is the same story—it is the same picture. Though the cultivators have been passing through a financial crisis, though the yield of crops has gone down, and the production is now less than what it was, yet the same machinery for recovery of rent is used now, and used sometimes with double force and with renewed vigour. For all these reasons, Sir, I accord my support to the motion of Maulvi Tamizuddin Khan and say that this procedure under section 158 should be scrapped from the Bengal Tenancy Act and the Public Demands Recovery Act should be revised in such a way that it may not be oppressive to the tenants. In this connection I would like to draw the attention of the Hon'ble the Revenue Minister to the fact that in matters of certificate procedure a curious procedure is adopted, i.e., compound interest is taken from the tenants. From the date of default up to the time of certificate interest at 12½ per cent. is calculated, and on this consolidated sum, again, 6 per cent. interest is realized; so that practically tenants have to pay compound interest. If a tenant's due is Rs. 5, he has to pay Rs. 10, taking all the costs and the tips to various persons. I hope all these things will be taken into serious consideration by my honourable friend the Revenue Minister and also that due consideration should be given to the objections that have been raised on the floor of this House this noon.

**Maulvi ABU HOSSAIN SARKAR:** Mr. Speaker, Sir, I rise to support Maulvi Tamizuddin Khan with all the strength that I can command. I come from a constituency, Sir, which is practically certificate-ridden. It is the zemindary of one of our Ministers—I mean the Maharaja of Kasimbazar. There the condition of the peasants is such that it cannot be described in language, I could not find chairs or tables in the houses of gentlemen-tenants, because most of them had already been sold by the process of certificate, and those persons who had chairs and tables, many of them had to conceal them in the houses of their relatives. Otherwise, the peons of the *Kutcheries* would give information that chairs and tables were to be found in their houses, and within a very short time the peons with certificates would come forward and take them away. I have seen with my own eyes bullocks being sold at Rs. 3 per pair under pressure of this certificate procedure. In that quarter, Sir, this Public Demands Recovery Act is considered as an octopus, and one of my friends from that part of the country actually wrote to me, when this Act was going to be amended and a Bill was to be introduced to that end by the Hon'ble the Revenue Minister, not to be a party to adding an extra hand to that octopus! It is considered amongst the tenants that the Public Demands Recovery Act is, practically, a landlords' Act. When a poor man dies, all his properties are sold and no steps are ever taken to protect them; but when a zemindar or a landlord falls into difficulties, either on account of his own extravagance or on account of the accumulated debts of his ancestors, he takes shelter under the court of wards and the old accumulated debts are cleared by this obnoxious certificate procedure. All these points and circumstances I submit to the House in the hope that this obnoxious Act and the relevant sections of the Court of Wards Act will be removed from the statute book at once. Personally, I have submitted two Bills—one for saving the *raiyats* from the clutches of the Public Demands Recovery Act, and another for the amendment of sub-section (c) of section 6 of the Court of Wards Act. I now appeal to Government to take up those two matters, and if they want to do any good to the tenants of Bengal and save them from sure ruin, Government should at once remodel or amend the Public Demands Recovery Act and the Court of Wards Act, so that the tenants may not further be ruined by this atrocious procedure as prescribed under these two obnoxious legislations.

**Mr. B. MUKHERJEE** delivered a speech in Bengali in support of Maulvi Tamizuddin Khan's motion.

**Mr. SPEAKER:** I would again appeal to the whips of the different groups to send me the lists of the speakers of the different parties: otherwise, it would be very difficult for me to call out the names of the members whom the party leaders would like to speak. I hope if a

party wants any particular member to speak on a particular motion, the whip will kindly submit to me a list giving names according to priority.

**A member:** On a point of order, Sir. When the certificate procedure was under discussion, some Honourable members were moving from seat to seat.

**Mr. SPEAKER:** That is neither a point of order nor a point of information, and I am sorry you are disturbing the proceedings of the House.

**Maulvi ABDUL BARI:** I join with my esteemed and honourable friend Maulvi Tamizuddin Khan in entering my vehement protest against the use of certificate procedure against the tenants of Bengal. It is not only my personal protest against the use of certificate procedure, but I believe it is a protest which will ring from every heart—from every member of this House—barring a few, if any. It is not a protest only from the members of this House, but it is a protest which has resounded the whole country from every creek and corner against the tyranny that is being promulgated on the tenantry of Bengal by the use of certificate procedure. It is needless to tell the House that every member who comes from the mutassal has been flooded with resolutions from the tenants of Bengal. The tenants of Bengal have approached us with folded hands and tearful eyes to do away with the certificate procedure. It is not possible for me or for any individual member of this House to do away with that baneful provision of the certificate procedure as mentioned in the Bengal Tenancy Act. I believe and trust that if the joint voice of all the members of this House is raised against the provision of the Certificate Act then it is bound to go.

I also rise to speak on the point that though we are going to have an amendment of the Bengal Tenancy Act still according to my information in the draft that has been prepared there is no question of any amendment of section 158A. Section 158A, if it can be compared with anything, it can be compared with the repressive laws of Bengal like the Bengal Criminal Law (Amendment) Act. It is a lawless law. While the repressive criminal laws of Bengal apply to a certain section of the people, section 158A applies to the teeming millions of the peasantry of Bengal. The repressive measures were enacted to meet an emergent situation. Are we to understand that this section was also enacted to meet such an emergent situation? What was the emergent situation? Certainly there was none. It only helps the zemindars and other proprietors of land to tyrannise over the tenants in realising their dues as effectively as they can. Therefore, I say that an Act like this must go. It is the blackest spot in the provisions of the Bengal Tenancy Act and this spot must be erased as

early as possible. I would also like to say that if the criminal law has been the black spot, the plague spot, then certainly section 158 is still more black and worse than what can be thought of by the people of Bengal. I can tell the Hon'ble Minister what tyranny is being perpetrated on the tenantry of Bengal by the provisions of the Certificate Act. I know of an individual case: I will not name the officer, but those who care to go through the Civil List can find his name; that officer once went to a mufassal station with a revolver in his hand and a gun in his orderly's hand for the purpose of realising the certificate dues from a debtor. When he went there, he found the door of the house locked up. It was then broken open and he found inside the house the master, mistress and the children in their teens who were being served with food in dishes. Then the officer entered the house at the point of the bayonet which was in his orderly's hands and snatched away those dishes. Thereafter, a case was instituted and if the Hon'ble Minister will look into the criminal records of the Malbagh subdivision he will find that case. It was ultimately withdrawn owing to the interference of some high officers. A counter-case was also started against the owner of the house. Atrocities like these are perpetrated in the name of certificate procedure. I would, therefore, earnestly request the Hon'ble Minister to withdraw section 158A as early as possible. There are other provisions such as section 148 of the Bengal Tenancy Act which empower the zemindars to realise their rent from the tenants by institution of cases. Why then this supplementary provision has been made for the zemindars? You will be pleased to find that it is an easy method of realising rents from tenants and that is the reason why zemindars are taking advantage of this certificate procedure with the result that rent suits in the civil courts are dwindling down. I submit to the members of the treasury benches to reconsider this question, and we expect an assurance from the Revenue Minister that he will take immediate steps to prevent the offences and crime that are perpetrated on the people of Bengal. I hope he will give us also the assurance that section 158A of the Bengal Tenancy Act will be repealed soon.

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Government are fully aware of the strong feeling that exists amongst the tenantry against the use of the certificate procedure. There are two proposals before the House moved by my friend Maulvi Tamizuddin Khan. The first is the too lavish use of the certificate procedure in realising dues by the court of wards and the second is the use of certificate procedure in connection with the management of private estates under the court of wards. At the outset, I may assure the honourable mover and other members of this House who have spoken in support of the motion that Government are considering the question and before long they propose to come to a final decision as regards the use of the certificate procedure. In the Bengal Tenancy Act, when it was amended

in 1928, powers were given to Government to confer the right of certificate procedure on private landlords subject to certain conditions and terms. My friend, Mr. Surendra Nath Maitra, was, I believe, a party to that amendment.

**Mr. SURENDRA NATH MAITRA:** You are mistaken.

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** I hope I am not wrong. Originally the whole Congress Party went into the lobby in support of the amendment and Mr. Maitra was one of them. I was a member of that legislature and I distinctly remember the fact. It is rather late in the day for Mr. Maitra to make a grievance of it against the present Government, because it was not the handiwork of the present Government, and if it was a handiwork of any Government, my friend Mr. Maitra had certainly a hand in it.

**Mr. JOGESH CHANDRA GUPTA:** I think that the Hon'ble Minister forgets that although we were in that House, Mr. Maitra came after the election of 1929.

**Mr. SURENDRA NATH MAITRA:** My party may be blamed, not me.

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** As I was submitting, Government are fully prepared to examine the whole question and to prevent all abuses in future of the certificate powers. The question of repeal will also be considered in that connection. As regards the use of certificate powers by the Court of Wards, I may submit that it is by no means a normal procedure for realisation of rent. The usual procedure is that at the end of each financial year the tahsildar has to submit a list of persons who are in arrears to the manager, and the manager scrutinises the list and then and then only if he finds that the ordinary methods of realisation of rent have failed, notices are issued to the tenants for payment of rent, and I think a month's time is given for payment. If the payment is not made within 30 days, then and then only the certificate is issued. That is the usual practice. (A voice: Even in famine-affected areas?)

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Not. In famine-affected areas the Collector has to suspend the use of certificate powers. I know it from my personal experience of the districts of Burdwan and Hooghly that the Collector refused to accept applications for certificates.

**Maulvi ABDUL BARI:** But the Collector of Murshidabad gave no orders for suspending the certificate procedure when there was famine in that district.

(A voice: Is it permissible to interrupt the Hon'ble Minister when he is replying?)

**Mr. SPEAKER:** It is not permissible. But if the Hon'ble Minister yields, I cannot help it.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I can assure my friends again that it was done in the past, and if the certificate powers are retained, it is going to be done in the future.

As regards the question of the use of certificate powers by private landlords, my honourable friends should remember one fact, that the landlords have got to pay their revenues within a certain date. If they do not do it, their estates are liable to sale under the sunset law. So some facilities have got to be given to them for realisation of their arrears. The certificate powers are by no means so drastic as the sunset law.

Sir, Government do realise, however, that the very use of certificate powers has caused a great amount of hardship to the tenantry of this province and in future they propose, if section 158A is at all retained, to restrict those powers, and it is also proposed to issue executive instructions to the Revenue Officers of Government to see that no abuse of certificate powers is made. Sir, I may in this connection point out that realisation of rent by the use of certificate powers is cheaper so far as the tenants are concerned in the long run—about 30 per cent. cheaper—and I have got here figures with me, Sir. Say, for instance, if Rs. 100 is the arrear, the cost for realisation by rent suits is Rs. 12-14 by certificate powers, under the court of wards it is Rs. 12-4 at the preliminary stage and the ultimate cost is Rs. 22-3 through rent suit, whereas Rs. 16-6 through certificate powers. Similarly, Sir, if the arrears are Rs. 50, the total amount of cost in a civil court is Rs. 12-10, whereas under certificate powers it is Rs. 9-12: so the ultimate liability of the tenants is much lighter and, moreover, I would request my honourable friends who represent the tenantry and who are certainly anxious to look to the convenience and economic uplift of the tenants that the tenants should not be allowed to get into arrears. That is the one thing which a tenant must avoid. All the difficulties of the Bengal peasantry to-day are due to his getting involved into large amount of arrears. Sir, it is a fact that during the last depression they got into heavy arrears. The court of wards in all those cases remitted interest and realised rent in easy instalments: in some cases, about two years' time was given. So, the court of wards did not try to take advantage of the summary method where the tenants were in difficulties, and I may repeat my assurance that if the certificate powers are retained, Government will see that there is no abuse of that power either by the court of wards or by private landlords. Sir, I refuse to believe that the landlords can flourish if the tenants do not flourish;

this is a proposition which I make bold to say. The prosperity of the country depends on the tenantry and the interest of the landlords and of the tenants are so much intermingled that the landlords cannot afford to ruin the tenants in realising their dues. Government propose to keep this ideal in view and to shape their policy accordingly. I repeat my assurance to my honourable friend, the mover of the resolution, that Government will very carefully go into the whole question and examine it before they come to a decision one way or the other, and they will certainly prevent the abuse of the certificate powers by the court of wards so that they may not operate any hardship in future to the tenants. I hope that in view of what I have said, my honourable friend will kindly agree to withdraw his motion.

**Maulana MD. MANIRUZZAMAN ISLAMABADI** spoke in Bengali, of which the following is an English translation:—

Mr. Speaker, 95 per cent. of the population of Bengal are tenants and cultivators. They are the backbone of the country so to speak. The country depends on them. Zemindars, talukdars, jotdars, lawyers, doctors and kavirajes all live with their help. The amount in tax and cess which the tenants legally pay to the zemindars annually amount to 27 crores of rupees, while illegal payment to the latter would presumably amount to 7 or 8 crores. The average annual income of an Indian is Rs. 36 only. The stream of injustice has, for a long time, been passing over them. The amount budgeted by our Hon'ble Finance Minister for the Department of Agriculture is extremely disappointing. Compared with other provinces the condition of Bengal is highly deplorable. What a cruel treatment is meted towards the tenants! The Government of Bengal spend Rs. 11,78,000 only on agriculture. The income of the Punjab is less than that of Bengal by two crores, yet they spend five times more than what Bengal does for the improvement of agriculture. The United Provinces spend three times, and Madras four times more than what Bengal spends.

The powers of the zemindar in Bengal are enormous. Courts are open to him. He can realise his rents by suing in the courts. Besides, he has his peons, *barkandazes*, *lathials*, and can send them to the houses of the tenants and bring them from there under arrest, and he very often follows this procedure. Still he wants the powers of realising rents by certificates.

**MR. SPEAKER:** You must say that you are discussing the certificate procedure and not retrenchment.

**Maulana MD. MANIRUZZAMAN ISLAMABADI:** This is meaningless. The oppressions practised by courts of wards and in *khas mahals* in the matter of issuing certificates are still more fearful. The other day, I went to the area under a zemindar for an enquiry and

there I learnt that some four thousand families had left their hearths and homes for Burma as a result of incessant issue of certificates, and I found many houses deserted.

(The member having reached the time-limit resumed his seat.)

**Maulvi MD. MOZAMMEL HUQ** spoke in Bengali in support of the motion.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I desire to make one or two points absolutely clear so far as the Government position is concerned regarding the questions on which there has been this debate. I may be the leader of the Coalition Party, but for the last 20 years I have been identified with the peasant movement in Bengal, and although I might have been elected by the personal influence that I possessed in the two constituencies which I contested, I preferred to stand as a nominee of the Krishak-Proja Party. Ever since I assumed office, charges have been levelled against me that I have broken the most solemn pledges I gave at the time of the elections, and there are some who have ventured to insinuate that I have been false to the Krishak-Proja Party. Much sooner shall I resign my office as a Minister than prove false to the Krishak-Proja Party (Hear! hear!), whose interests I have always watched here and whose interests I shall always watch with the most sympathetic eye.

Sir, it has been said that I have done nothing to redeem my pledges. My friend, Mr. Mukherjee, has said that I have done nothing to influence the Cabinet. Where was the opportunity for me to break a pledge or to omit to influence the Cabinet, and does my friend know what I have been doing since? Unless a definite proof comes forward that an opportunity came, and I allowed that opportunity to go by without redeeming my pledges or using my influence as Chief Minister to implement these pledges in the various legislations, which we are going to undertake; there are not to say of the salary questions in my manifesto but I said nothing that I would accept such and such salary. There are certain recalcitrant members who are going against me in season and out of season. (A voice: You are discussing the salary question.) It was your friend that raised that question, but I will drop the salary question.

**Mr. SPEAKER:** Order, order. I think it will be quite in conformity with the practice and convention of all parliamentary institutions that the Leader of the House and the Leader of the Opposition should be given undivided attention when they speak. So I would appeal to members that even though there might be something which might be objected to, they are not to disturb in the midst of a speech when the

Leader of the House or the Leader of the Opposition addresses the House. I am doing so in the interest of the fairness of the debate so that there might be a reasonable debate and facilities afforded to all.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Thank you, Sir. I will now come straight to the two points that have been raised by my friend Mr. Tamizuddin and also referred to in the speeches of some of the members. The first of these is about the powers under the certificate procedure which are enjoyed by the landlords and, secondly, the repeal of the Public Demands Recovery Act. In order to do away with the powers of certificate procedure altogether so far as this province is concerned, I will discuss those points one by one.

As regards the amendment of the Bengal Tenancy Act, particularly section 158AAA, my friends are well aware that there is a draft amendment ready, and we propose to meet the members of the Coalition Group this afternoon and to-morrow and we will accept suggestions from them as to the amendments that ought to be made. I can give the House this assurance on behalf of Government that if the Coalition Party desire that the whole of the section of the Bengal Tenancy Act be deleted, we will do it. (Hear! hear!) The matter lies entirely in their hands. We know no Governor or other officials; we are the rulers of Bengal, and it is those members of the Coalition Group who have kept us up in power and it is not possible for the Ministry to remain for a single moment in power if our supporters' clear desire is that they should not be here. Do you want section 158 and other cognate sections to go? (Cries of "Yes, Yes.") It is in your power to say this afternoon or to decide it to-morrow. Why ask us to do this or that? You are the masters of the situation. (Hear! hear!) Decide whichever way you like, but consider in what way it should be done. Therefore, Sir, I am giving the House this assurance of the Government.

**Dr. NALINAKSHA SANYAL:** You are giving the assurance to your party.

**Mr. SPEAKER:** I am very sorry that Dr. Sanyal is again obstructing the proceedings in spite of the fact that I appealed for a certain amount of courtesy being extended to the Leader of the House, but I am sorry Dr. Sanyal is again interrupting him. (Cries of "Shame! shame!")

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, so far as the Bengal Tenancy Act is concerned, the position is this: There are only one or two things which have got to be considered from the point of view of the matters which will be placed before you. I would ask the Coalition Party to consider those matters also. But after having heard all that

can be said for and against, if you decide that section 158 or any other section ought not to be in the Bengal Tenancy Act, you have to let us know the position and the section will be amended accordingly.

**Mr. SYED HASAN ALI CHOWDHURY:** Is the Hon'ble the Chief Minister addressing a meeting of the Coalition Group or the Assembly?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am addressing you, Sir. There is a section of the House which will never listen and I will not address that section of the House. I am addressing the Speaker and also those who are here to listen. If there are some who do not intend or wish to listen but come here solely for the purpose of mischief, I am not going to address them.

Now, Sir, as regards the repeal of the Public Demands Recovery Act, I may inform the House that I have received a copy of a Bill drafted by a private member. Now I may tell the House at once about the procedure that is adopted with regard to repealing Acts. The draft prepared by a non-official member is ordinarily a draft which is defective from the legislative point of view, because the draft is not prepared by expert hands. The draft has got to be submitted to the Legislative Department, and it has to be examined in all its aspects. If the provisions of the Bill affect any departments, they have got to be considered by the department concerned, and all its procedure has got to be gone through before the Bill is ready for introduction in this Council. In this particular case we will inform the Coalition Group as to the provisions of that Bill. If they want that the private Bill should go up, their wishes will be acceded to. If you want that Government should bring up the Bill, that also will be considered, but here again the matter entirely lies with you and you have got to assert yourselves and you will get what you want—

**Mr. SYED HASAN ALI CHOWDHURY:** May I rise on a point of order, Sir? The Chief Minister is not addressing members of the House but he is addressing some particular members.

**Mr. SPEAKER:** I would ask the Hon'ble the Chief Minister to address the Chair.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I am addressing the Speaker. I was not addressing a particular party, although my face was turned to that side. Now, Sir, as I have already submitted, the question of amendment of the Public Demands Recovery Act should also be considered by you and discussed in party and, if necessary, you can give us whatever directions you wish to give. I wish, Sir, only to make the fact that in the course of discussion a good deal of time

has been devoted to a narration of incidents of oppression committed in the execution of the Certificate Procedure Act; this was hardly necessary. They are so well known that there can be no dissentient voice that the certificate procedure tells very harshly on debtors. Therefore, to conclude the debate I would ask the House to consider that so far as the amendment of the Bengal Tenancy Act is concerned, it is in the hands of the members of this House to decide in whichever direction they want the amendment to be made, and it would not be possible for any Ministers to resist their united demand.

Sir, as regards the repeal of the Public Demands Recovery Act, which is a more comprehensive demand, it will have to be considered in all its bearings by the Cabinet. If that request is made to us by the Coalition Party or any party, the question will be considered by the Cabinet. I hope that if my friends on the left make that request we will consider that also. (A voice: We have also submitted a request.)

**MR. SPEAKER:** I would request the Hon'ble the Chief Minister to address me and not the members.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have nothing more to say. I think the question has been sufficiently debated and my esteemed friend Mr. Tamizuddin Khan, who knows very well the parliamentary procedure, will now consider whether it will serve any useful purpose to go on with the debate any further or whether he will accept my appeal to withdraw his motion.

**Mr. Khwaja SHAHABUDDIN:** May I rise on a point of information, Sir? I take it that when the Hon'ble Chief Minister was referring to the Coalition Group he meant the group which are supporting the ministry.

**Mr. JOGESH CHANDRA GUPTA:** May I speak a few words, Sir? I only want to have two minutes, as reference has been made to our side.

**MR. SPEAKER:** Mr. Gupta, I am very sorry. I said that I would bring the debate to a close. I hope you will not mind it. There have been references made to this side and that side and if you refer to them, there will be so many references and cross-references that it will go beyond limit. I would therefore appeal to you to desist. But if you want to make a personal explanation on behalf of your party, when you can do so. But I cannot allow you to make any speech at this stage.

**Mr. JOGESH CHANDRA GUPTA:** Very well, Sir. This side of the House has heard with deep regret the reference made by the Leader

of the House that some of us are bent on mischief in this House and have not come here to listen to what the Leader of the House says. I strongly repudiate the insinuation conveyed by that remark and this side of the House assures the Speaker that they are to listen to everybody and always attentively to the Leader of the House and to give their decision on the merits of the case.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Why does Mr. Gupta take that remark upon himself?

**Mr. JOGESH CHANDRA GUPTA:** I take the remark not upon myself, but upon the whole party.

**Maulvi TAMIZUDDIN KHAN:** Sir, in view of the clear assurance given by the Hon'ble the Chief Minister, who is also the Leader of the Proja Party, I beg leave to withdraw my motion.

**Mr. SPEAKER:** Leave has been asked by Maulvi Tamizuddin Khan to withdraw his motion. Has anybody any objection?

(There were cries of "We object! we object!" from the Congress benches.)

**Maulvi TAMIZUDDIN KHAN:** On a point of order, Sir. I have asked for leave to withdraw my motion, and there has been opposition. My submission is that the question to be put now whether leave should be given to me to withdraw my motion or not.

**Mr. SPEAKER:** I am not very clear in my mind as to the procedure in this case. The rule says that a member who has moved a motion shall not withdraw the same, except by leave of the House, and that no discussion shall be permitted on a request for leave to withdraw, except with the permission of the Speaker.

Now, in view of the fact that Maulvi Tamizuddin Khan has asked leave of the House to withdraw his motion and also in view of the fact that some members are against such leave being granted, I have no other alternative but to ascertain the opinion of the whole House by asking those gentlemen who oppose the withdrawal to kindly rise in their seats, so that a count may be made.

(Those in favour of withdrawal being 127 and those against 57, leave was given to Maulvi Tamizuddin Khan to withdraw his motion.)

**Mr. SPEAKER:** Leave is therefore granted by the House to Maulvi Tamizuddin Khan to withdraw his motion.

**Dr. NALINAKSHA SANYAL:** Division, Sir.

**Mr. SPEAKER:** I would again request you to consider whether a division is really necessary.

**Dr. NAJINAKSHA SANYAL:** We want a division.

The motion that leave be granted to Maulvi Tamizuddin Khan to withdraw his motion being then put, a division was taken with the following result:—

#### AYES.

Abdul Aziz, Maulana Md.  
 Abdul Bari, Maulvi.  
 Abdul Haftz, Mr. Mirza.  
 Abdul Hakeem, Mr.  
 Abdul Hakim Vikramপুরi, Mr. Md.  
 Abdul Hamid, Mr. A. M.  
 Abdul Jabbar, Maulvi.  
 Abdul Jabbar Palwan, Mr. Md.  
 Abdul Kader, Mr.  
 Abdul Karim, Mr.  
 Abdul Latif Biswas, Maulvi.  
 Abdul Wahab Khan, Mr.  
 Abdulla-al Mahmood, Mr.  
 Abdur Raschid Mahmood, Mr.  
 Abdur Rasheed, Maulvi Md.  
 Abdur Rauf, Khan Sahib Maulvi S.  
 Abdur Rauf, Mr. Shah.  
 Abdus Shaeed, Maulvi Md.  
 Abdur Reza Chowdhury, Khan Bahadur.  
 Abul Hashim, Maulvi.  
 Abul Hosain, Mr. Ahmed.  
 Abul Cussem, Maulvi.  
 Acharyya Choudhury, Maharaja Sashi Kanta of  
 Muktagacha, Mymensingh.  
 Aftab Hosain Joardar, Maulvi.  
 Ahmed Ali, Khan Sahib Maulana Enayetpuri.  
 Ahmed Ali Mircha, Maulvi.  
 Ahmed Hosain, Mr.  
 Alfazuddin Ahmed, Khan Bahadur.  
 Aminullah, Maulvi.  
 Amir Ali, Md. Mia.  
 Ashrafali, Mr. M.  
 Auid Hosain Khan, Maulvi.  
 Azhar Ali, Maulvi.  
 Bennerman, Mr. H. C.  
 Sarat Ali, Mr. Md.  
 Barma, Babu Premhari.  
 Barma, Mr. Puspajit.  
 Barman, Babu Upendra Nath.  
 Basu, Babu Jatindra Nath.  
 Biswas, Babu Lakshmi Narayan.  
 Brasher, Mr. F. C.  
 Campbell, Sir George, Kt.  
 Chippendale, Mr. J. W.  
 Clark, Mr. I. A.  
 Cooper, Mr. C. G.  
 Das, Mr. Anukul Chandra.  
 Das, Mr. Kirit Bhushan.  
 Das, Mr. Monmohan.  
 Edhar, Mr. Upendranath.  
 Farhad Raza Chowdhury, Mr. M.  
 Farhat Bano Khanam, Begum.  
 Fazlul Haq, the Hon'ble Mr. A. K.  
 Fazlul Quadir, Khan Bahadur Maulvi.

Fazlur Rahman, Mr.  
 Ferguson, Mr. R. H.  
 Gammeter, Mr. E. O.  
 Giasuddin Ahmed Choudhury, Mr.  
 GoRah Sarwar Hosaini, Mr. Shah Syed.  
 Gomes, Mr. S. A.  
 Griffiths, Mr. C.  
 Gurung, Mr. Damber Singh.  
 Habibullah, the Hon'ble Nawab Bahadur K., of  
 Dacca.  
 Hafizuddin Chowdhury, Maulvi.  
 Hamiuddin Ahmad, Khan Sahib.  
 Hamilton, Mr. K. A.  
 Hasanuzzaman, Maulvi Md.  
 Hashem Ali Khan, Khan Bahadur.  
 Hasina Murshed, Mrs.  
 Hatemally Jamadar, Khan Sahib.  
 Haywood, Mr. Rogers.  
 Hendry, Mr. David.  
 Idris Ahmed Mia, Mr.  
 Isphani, Mr. M. A. H.  
 Jasmuddin Ahmed, Mr.  
 Kabiruddin Khan, Khan Sahib.  
 Kazem Ali Mirza, Sahibzada Kawan Jah Syed.  
 MacLauchan, Mr. C. S.  
 Maftzuddin Ahmed, Dr.  
 Maftzuddin Choudhury, Maulvi.  
 Maguire, Mr. L. T.  
 Mahtabuddin Ahmed, Khan Bahadur.  
 Mandal, Mr. Amrita Lal.  
 Mandal, Mr. Banku Behari.  
 Mandal, Mr. Birat Chandra.  
 Mandal, Mr. Jagat Chandra.  
 Mandal, Mr. Krishna Prasad.  
 Miles, Mr. C. W.  
 Millar, Mr. C.  
 Milne-Robertson, Mr. C. E. L.  
 Morgan, Mr. G.  
 Mozammel Haq, Maulvi Md.  
 Muhammad Afzal, Khan Sahib Maulvi Syed.  
 Mohammed Ali, Khan Bahadur.  
 Muhammad Ishaque, Maulvi.  
 Muhammad Israil, Maulvi.  
 Muhammad Siddique, Dr. Syed.  
 Muhammad Solaiman, Mr.  
 Mullick, the Hon'ble Mr. Mukunda Bahary.  
 Mullick, Mr. Pulin Bahary.  
 Musharruff Hosain, the Hon'ble Nawab, Khan  
 Bahadur.  
 Mustagawal Haque, Mr. Syed.  
 Nandy, the Hon'ble Maharaja Sri Chandra,  
 Kasimbazar.  
 Nasarellah, Nawabzada K.  
 Nausher Ali, the Hon'ble Maulvi Syed.

Nazimuddin, the Hon'ble Khwaja Sir.  
 Nimmo, Mr. T. B.  
 Patton, Mr. W. G.  
 Rahman, Khan Bahadur A. M. L.  
 Raikat, the Hon'ble Mr. Prasanna Deb.  
 Rajibuddin Tarafdar, Maulvi.  
 Ray Choudhury, Mr. Birendra Kishore.  
 Razaur Rahman Khan, Mr.  
 Roy, Babu Patiram.  
 Roy, the Hon'ble Sir Bijoy Prasad Singh.  
 Roy, Kumar Shib Shekharwar.  
 Roy, Mr. Dhanaanjay.  
 Roy, Rai Bahadur Kahirod Chandra.  
 Sadaruddin Ahmed, Mr.  
 Salim, Mr. S. A.

Sarker, Babu Madhusudan.  
 Sarker, the Hon'ble Mr. Nalin Ranjan.  
 Sanyal, Mr. R. N.  
 Shahabuddin, Mr. Khwaja.  
 Shamsuddin Ahmed Khandkar, Mr.  
 Singha, Babu Kohotra Nath.  
 Steven, Mr. J. W. R.  
 Suhrawardy, the Hon'ble Mr. H. S.  
 Tamizuddin Khan, Maulvi.  
 Tofel Ahmed Choudhury, Maulvi Najl.  
 Waller Rahme, Maulvi.  
 West, Mrs. Ellen.  
 Wordsworth, Mr. W. G.  
 Yusuf Ali Choudhury, Mr.  
 Zahur Ahmed Choudhury, Mr.

## NOES.

Abdul Hakim, Maulvi.  
 Abdul Majid, Maulvi.  
 Abdul Wahed, Maulvi.  
 Abu Hossain Sarker, Maulvi.  
 Abul Fazal, Mr. Md.  
 Akhtab Ali, Mr.  
 Ahmed Khan, Mr. Syed.  
 Asimuddin Ahmed, Mr.  
 Banerji, Mr. P.  
 Banerjee, Mr. Pramatha Nath.  
 Banerjee, Mr. Sibnath.  
 Banerji, Mr. Satya Priya.  
 Bannerjee, Mr. Manoranjan.  
 Berman, Babu Shyama Prasad.  
 Bhawmik, Dr. Gobinda Chandra.  
 Biswas, Mr. Rasik Lal.  
 Biswas, Mr. Surendra Nath.  
 Chakrabarty, Babu Narendra Narayan.  
 Chatterpachay, Babu Haripada.  
 Das, Blou Mahim Chandra.  
 Das, Babu Radhanath.  
 Das Gupta, Babu Khagendra Nath.  
 Das Gupta, Mr. Narendra Nath.  
 Datta, Mr. Dharendra Nath.  
 Deolul, Mr. Harendra.  
 Dutta, Mr. Sukumar.  
 Dutta Gupta, Miss Mira.  
 Emdadul Haque, Kazi.  
 Ghose, Mr. Atul Krishna.  
 Ghossein Ahmed, Mr.  
 Goswami, Mr. Tulsi Chandra.  
 Gupta, Mr. Jogesh Chandra.  
 Gupta, Mr. J. N.

Hasan Ali Chowdhury, Mr. Syed.  
 Jalaluddin Hashemy, Mr. Syed.  
 Jonab Ali Majumdar, Mr. uvi.  
 Kumar, Mr. Atul Chandra.  
 Kundu, Mr. Nishitha Nath.  
 Maiti, Mr. Nikunja Behari.  
 Maitra, Mr. Surendra Mohan.  
 Maji, Adwaita Kumr.  
 Majumdar, Mrs. Homapova.  
 Mazumdar, Mr. Birendra Nath.  
 Mal, Mr. Iswar Chandra.  
 Maniruzzaman Islamabadi, Maulana Md.  
 Maqbul Hossain, Mr.  
 Masud Ali Khan Panni, Maulvi.  
 Mohsin Ali, Mr. Md.  
 Muhammad Ibrahim, Maulvi.  
 Mukherjee, Mr. B.  
 Mullick, Srijut Ashutosh.  
 Nasker, Mr. Hom Chandra.  
 Pramanik, Mr. Tarinicharan.  
 Ramizuddin Ahmed, Mr.  
 Roy, Mr. Kamal Krishna.  
 Roy, Mr. Kishori Pati.  
 Roy, Mr. Manmatha Nath.  
 Sanyal, Dr. Nalnaksha.  
 Sanyal, Mr. Saanaka Sekhar.  
 Shahedali, Mr.  
 Shamsuddin Ahmed, Mr. M.  
 Sinha, Srijut Manindra Bhuan.  
 Sur, Mr. Harendra Kumar.  
 Thakur, Mr. Pramatha Ranjan.  
 Yousuf Mirza.

The Ayes being 134 and the Noes 65, the motion was carried.

**Mr. SPEAKER:** Permission is, therefore, given to Maulvi Tamizuddin Khan to withdraw his motion, and the motion is withdrawn with the leave of the House.

**A Member:** Sir, can the question of leave be decided by the majority? I think leave can only be given by an unanimous vote of the House.

**Mr. SPEAKER:** There must be some common sense behind the law. Human nature is such that there cannot be unanimity in all matters. So all rules must be interpreted with a bit of common sense.

I think the time allotted to the Coalition Group is over. I will now grant one and half an hours to the Scheduled Castes.

**Babu PREM'HARI BARMA:** I beg to raise the question of desirability of using the term "scheduled castes" in all departments of the Government and not to include it with the general terms of depressed and backward classes.

At the time of making the list of scheduled castes, the Government called upon all the backward and depressed classes and communities of Bengal to inform the Government of their desirability to be included or not to be included in the list of the scheduled castes. Some of the backward and depressed classes wanted to be included in the list of the scheduled castes and some did not want to be included, while others got their names excluded from the provisionally made list of scheduled castes. Sir, the list was made with a view to giving special facilities for education and appointments in Government services, for encouraging the backward and depressed communities included in the list to improve their wretched condition. But I regret to say that the motive with which the list was made, namely, the motive for giving special facilities to backward and depressed classes included in the list, has practically been negatived for we find that in the matter of scholarships and appointments scheduled castes are classed with minority communities and backward classes. If this is done in the practical field, then what was the use of making a list of scheduled castes? If those backward and depressed classes who did not want to be included in the list of scheduled castes get the same privileges and special facilities with the scheduled castes, then what was the necessity of making the list of the scheduled castes. We the scheduled castes vehemently protest against this policy of the Government to place the scheduled castes, minority communities and backward classes in the same category. We urge upon the Government not to do this and to specifically state the special privileges to which the scheduled castes will be benefited. This can easily be done if the scheduled castes are not classified with the minority communities and other backward classes of Bengal.

Of course, we do not say that special facilities should not be given to the minority communities and other backward classes. All that we urge is that if the Government want to provide special facilities for these classes, let the Government do it separately and not to mix them up with the scheduled castes.

**Babu KSHETRA NATH SINGHA:** In supporting the motion of my friend Babu Premhari Banna I beg to remind the Government of the pitiable condition of the scheduled castes of this province—

**Mr. SPEAKER:** That has nothing to do with the change of name which the motion under discussion deals with.

**Babu KSHETRA NATH SINGHA:** In supporting the motion, I would like to draw the attention of the House to the history of the origin of the name "scheduled castes" and how it stands in relation to the term "depressed and other backward classes." The name "depressed classes" includes a certain number of communities, probably 96 or 97. After that the depressed classes were converted into backward classes before the report of the Franchise Committee was published and after the Franchise Committee's report, as a result of petitions and representations, the name "depressed classes" was transformed into scheduled castes. Now, Sir, after the transformation the name is still retained in the Government papers as such. The difficulties of the scheduled castes people have been very great in demarcating their own position along with other backward or other minority communities, as the scheduled castes people are classed with the other minority communities.

I do not know, Sir, how scheduled castes people can be classed with other minority communities, such as Anglo-Indian, Christian, etc. I have no grievance against the other minority communities, but it passes my comprehension how they can be classed with the scheduled caste. If they want to come within the fold of the scheduled castes, let them do so openly and share equally the advantages and disadvantages, conditions and privileges, with them. Our grievance is—let the list of these scheduled castes be clearly and definitely defined and published according to the Government statistics and not mixed up with other communities. Things are often done in the name of scheduled castes at our cost. I have personal knowledge of some backward communities declaring themselves by some hook or crook as scheduled castes in order to get some special privilege from the Government. These downtrodden scheduled castes people, in spite of their helpless condition and disadvantages, prefer retaining this name; but it is very unfair that people of other minority communities and even sometimes caste Hindus, in the name of scheduled castes, should get privilege by the back door. We strongly object to this sort of things.

I appeal, Sir, to our Chief Minister who is looking into these things and in whom we have full confidence, to do justice to the scheduled castes people. They have all along been loyal to him, and they expect that the Hon'ble Chief Minister will remove their grievances and exclude them from the general terms of depressed and backward classes. I pray to our Chief Minister who is doing all these things for us, and we

rely on him to look to the condition of the scheduled caste people. Sir, I request the other minority communities not to come to the fold of the scheduled caste community, and I ask, Sir, that this distinction may be clearly demarcated. The result of considering other minority communities along with the scheduled caste has been disastrous to my community. I will cite one example here, Sir. In Rangpur for the nomination of Excise Sub-Inspectorship there was only one Indian Christian candidate and that name was sent up in spite of six or seven scheduled caste candidates. The result has been disastrous because in Rangpur there is not a single *bona fide* native of Indian Christian community and 5,50,000 people of the scheduled caste community have been deprived of their just claim for the sake of one Indian Christian. It is a very pitiable condition, and if the Government is willing to help this down-trodden section of the people they must do it clearly and honestly. Sir, we are following the Government in spite of the abuses of the people, the newspaper and the caste Hindus and it is our just claim that we should not be treated like inferior creatures. What is our position? Our position is nothing in comparison with others. We have no status in education, in society and in other social encouragements. Sir, we are following the Government with our miserable conditions and our helpless position and I hope, Sir, that by the help and grace of the Government we shall be able to stand in the same status with the other sections of the people and we shall be able to count ourselves not as down-trodden millions, not as cats and dogs but as human beings equal in position and equal in status. We are following Government like so many lambs. (Laughter.) My brothers might laugh, but we know, we bitterly feel our position. We are following Government, we do not follow this side or that side, but we follow only one side and for all this we hope that the darkness of night will be removed and we shall again be accounted amongst the civilised people. With these words I commend the motion for sympathetic consideration of the Government that they will help us in our need and help us as human beings and not like inferior creatures.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, on behalf of the Government and on behalf of every member of this Government without any hesitation whatsoever I would like to assure the members of the scheduled castes that this Government will try their level best to improve the condition, status and position of the scheduled community as far as possible, and they will try to remove the unfortunate position which they are now occupying. Every endeavour shall be made to that effect. As far as the resolution itself is concerned, Sir, Government are prepared to accept that the term "Depressed Classes" should be removed from Government notifications and papers and it should be replaced by "Scheduled Castes." They are also prepared to make it absolutely

clear and distinguish the scheduled castes from the backward classes and other minorities. As far as this cut motion is concerned, it does not raise any other question at the present time. It only requires a change of the term "Depressed Classes" and "Backward Classes," and I have already explained to the House that the term "Scheduled Castes" will be used in Government circulars and notifications. But the Government have got to consider the claims of the minority communities and backward classes, but they will be absolutely distinct and different from the scheduled castes. Sir, in view of what I have said, I hope the honourable member will withdraw his cut motion.

**Babu PREM HARI BARMA:** Sir, in view of the assurance given by the Hon'ble Home Minister, I beg to withdraw my cut motion.

The cut motion moved by Babu Premhari Barma was then by leave of the House withdrawn.

**Mr. SPEAKER:** I am afraid it will not be possible for me to give any more time to the Scheduled Caste Group as I have explained to them. I will now call upon the Proja Party to move their motion.

I was given a list of four motions which the Proja Party wanted to move, but I understand they are not going to move any. In view of the fact that the Proja Party is not going to move their motions, I will give some time to the Nationalist Group to raise the issue on the separation of the Judicial and Executive functions later. In the meantime, Mr. Sanyal will move No. 86, as that is a matter concerning this House, and the member has represented that this should be allowed.

**Dr. NALINAKSHA SANYAL:** Mr. Speaker, Sir, I move that the demand be reduced by Rs. 100 with a view to draw attention to the inadequacy of provision for the Assembly Department. I submit that at first I was inclined to move this cut motion more with a view to draw attention to the inconvenience experienced by the members of this Assembly in getting various things done, in having their questions dealt with in time, in having the resolutions properly drafted or circulated and in having their travelling bills admitted and quickly disposed of. My inclination at that time was to criticise the Assembly Department for their apparent inefficiency, but, Sir, after some time when I examined the volume of work that has been thrust upon the poor office of the Assembly Department, I had to change my attitude. I felt that the fault really did not lie with the officers and staff of the Assembly Department, but it lay somewhere else. It lay with the Finance Department that was so very generous with other departments but were so very hard on the department which will make this Assembly function properly. Sir, I have a few figures collected with some amount of labour

to show how it has become virtually impossible for the small number of staff to deal with the very urgent work that this Assembly has to deal with. I had some pains taken to find out the various kinds of work done in the last Legislative Council as compared with the work that has already devolved upon the staff of the Assembly in connection with this present Legislative Assembly. There were in the old Council 140 members out of which 36 were officials, from whom hardly any question or resolution ever came, whereas now we have 250 members; that is to say, we have nearly double the number of members that are here taking interest in the affairs of the country. There had been in past times on an average about 200 to 225 questions to be dealt with in the longest session, but this year in this particular session nearly 600 questions have already been received by the Assembly Department office and the last date is not yet over. There had been again many questions that are of a very intricate nature and the experience of the old Legislative Council is that formerly they had not very many complicated questions to deal with. On the top of that there have been several short notice questions received as well. There had been formerly not more than 90 resolutions to deal with in a session. This year already they have had to deal with 246 resolutions. The position is this so far as the work goes. With regard to the number of sittings, formerly we had only 80 to 32 sittings in a year. In the year 1936, I calculated, there were only 32 sittings, whereas approximately this time we feel that we are likely to meet at least a hundred days, if not more. There is then the question of adjournment motions. Adjournment motions really did not come formerly, but now such motions have become almost a daily affair; on some days more than on adjournment motion is tabled, and because of the rules we cannot take up more than one. There had been many complicated questions of procedure which had to be dealt with by the superior officers of the Assembly Department, firstly, because there are more alert members here; and secondly because there have been under the Government of India Act certain changes introduced following which some new procedure has to be adopted. Then, we have got the Upper House—the Council—the presence of which has had some influence on the procedure also. Moreover, the Assembly Department has now been tacked on to the Home Department under the present rules, the result of which has been that the Assembly Department has had to be a sort of post-office of the Home Department and some amount of work has increased on that account also. Then again, non-official Bills have multiplied. Formerly we had non-official Bills to the extent of about 20 per annum; now 80 Bills have already been received in the Assembly Department. There have been also numerous travelling allowance Bills and during the last few days 405 such bills have been received. Formerly, in 1936-37, in the whole year they had only 252 bills to deal with. To deal with this increased volume of work the

staff has been strengthened slightly. (Formerly, there were two officers—viz., the Secretary and the Assistant Secretary. From the budget presented to us I find that so far as the Secretary and Assistant Secretary are concerned, there has been no change whatever. So far as the Council reporters, clerks and assistants are concerned there has been some increase; they had 11 clerks formerly and we have got now provision for 17; and so far as the servants, i.e., menials, are concerned we have 21 provided for instead of 14 formerly. There has thus been a slight increase, but I submit, Sir, that this is a very meagre appreciation of the huge amount of work that has devolved upon the department, and it is up to the Government to help the members in getting the work of the Assembly properly done by making ample provision for the Assembly in all its departments. I have got also some amount of grievance against the provision for the Library for the purchase of books. There has been practically no Library Department whatever. Although there is a so-called Library there is no separate staff provided for the Library. A clerk in the office looks after the issue of books as and when some members come and ask for books, and there is no-body who can really help members as to where a certain book or a certain information can be obtained. We have for the Library only a sum of Rs. 1,200 provided for the purchase of books. On enquiry, I understand that out of this sum of Rs. 1,200 more than Rs. 1,000 go by way of mere book-transfers for the purchase of various Government books and records that are being received from the Government of India and other Government Departments, leaving hardly Rs. 200 for the purchase of new books and that sum of Rs. 200 is also earmarked for certain departments, the Legislative Council Department in particular, which has got a special claim on the books of the Library. The result is that we, the members of this Assembly, have no opportunity whatever of helping the department to obtain new books—I believe the Speaker is also helpless there.

Sir, in view of what I have submitted, I feel that the staff and the provision made for the department are very meagre. A manual should be prepared giving in one book not only the Government of India Act but also the various rules and standing orders and other necessary information that we, the members of the Assembly, have to refer to off and on. For want of provision this important work has not as yet been taken up.

Sir, I submit that my motion in no way comes under the category of a no-confidence motion. The Hon'ble the Chief Minister appealed to us a few days ago that we on this side of the House should come forward to help the Government with constructive suggestions, and we now try to help him by this suggestion, and there can be no better way of helping in the administration of this House than by providing more money for the department and for the staff, particularly when we know that the staff have sometimes to work up to 10 o'clock at night without

provision of any kind for food; and sometimes they have to go without any food the whole day. Only the other day when the Upper House was sitting the Hon'ble Ministers complained of the floor of the House that some of them had to wait from 10 a.m. to 11 p.m. at night; but the poor clerks of the department had on that day to work from 7-30 in the morning without any food till 10 o'clock at night. There is no provision in the budget to enable the Secretary to give them any special allowance for overtime work, except from his own pocket or from contingencies which the Speaker may specially sanction. I submit, Sir, that you would be pleased to make a statement as to whether you have experienced any difficulty in this connection, so that the House may be in possession of the facts as to how you are administering the Assembly Department under such circumstances. I submit, Sir, that although ordinarily it is not proper for us to expect any statement from you, Sir, but it is a matter so vital that unless you help us, the democratic constitution that we have got will be rendered impossible by the executive inconsiderateness so far as the provisions necessary for the proper functioning of this legislature is concerned. With these observations, Sir, I move that the grant be reduced by Rs. 100.

**Mr. SPEAKER:** As I have been requested by Dr. Sanyal to make a statement, I would ask the Hon'ble Khwaja Sir Nazimuddin whether he has any objection to my making a statement in order to explain the whole position.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, I have no objection.

**Mr. SPEAKER:** I think Dr. Sanyal is perfectly right in saying that the fact of my making a statement on this matter is altogether beside any convention and I do not think that it should be followed in any manner. But in view of the fact that this is the first year of this Assembly and the Government as well as the members are anxious that the House should function properly, I think I should make a statement on the present position.

So far as the Library is concerned, I am not passing any opinion whatever as to what attitude the Government will take or will not take. I am here to explain that with the meagre Library grant it has not been possible to purchase any more books than the periodicals and other publications of the different provinces. As a matter of fact, this is the present position. We have got no wholetime Librarian, and at present one clerk has to work in the office as well as in the library with the result and consequent disadvantage that, as the books are kept in different rooms—some on the top floor and some on the ground floor—if the clerk has to fetch a book from a room on the top floor, he has to be absent from the library for about twenty minutes and during that

time it is difficult for members to get ~~by~~ books. The second difficulty is that there has been no purchase of any recent publications on current political or economic literature either concerning India or generally. Whether the preparation of a manual should be undertaken or not, is for the Government and the House to decide. I have already addressed Government as regards the necessity of preparing a manual.

As regards the superior staff, Dr. Sanjal has explained the position which, I think, is correct. I must tell the House at this stage that we have not yet been able to come to a decision as to the position of this department with reference to the Home Department. Whether this department should not be an entirely autonomous department more on the lines of the Public Service Commission, or whether this department should operate under the Home Department is a matter to be decided. It was only yesterday that a copy of a circular, which was sent out by the Home Department for circulation among its subordinate officers, was sent out to us just as if this department was a branch of the Home Department—it was probably owing to an oversight on the part of that department, but technically that is the legal position that this Assembly Department operates as an appendage for the time being of the Home Department. Whether that is a desirable state of things or not, is for the Government to decide, but I will not say anything further on the matter until the matter is finally decided.

As regards dislocation of business the exact position as regards questions is that, owing to the paucity of staff, out of 600 questions received we have not been able to deal with more than 300. I will give an instance. We got notice of 987 motions. You can easily understand that owing to the complexity of the provisions of the Government of India Act the motions cannot be automatically admitted; and as I have found many have been admitted owing to the fact that on the last day we found that unless we hurriedly printed them we would not be able to send them out to members. In this connection, I must thank the Press for the promptness with which they have done the work. The papers were sent out to them at 3 o'clock and we received the printed copies by 7 o'clock. The point however is that we had to admit many motions without looking at them. In one instance, to which attention was drawn later, Mr. Hashemy put a question regarding the salary and emoluments of the Governor, but the whole thing was ultra vires to the rules of this House, but it was put in the agenda as it was not humanly possible for us to tackle this matter with the staff that we have got. I am not stating a bit in exaggeration that I have myself honestly tried to put in many long hours of work to dispose of hundreds of files, and yet we have come to a point when I find that if my staff have to cope with the work properly, they would break down very soon.

So far as the question of Bills is concerned, Dr. Sanjal has rightly pointed out that at present members send in their Bills in any manner

they like. I hope some members will not take offence when I say that they do not understand the real position and they think that just as in the Albert Hall or College Square speeches are handed in, they can hand in their Bills without looking into the form or shape in which the Bills are to be framed. In my department the technical part of the work has to be done and this involves a good deal of work. I had from time to time to get assistance from the Revenue Department, the Home Department and the Finance Department. In respect of the agenda before us the papers had to be arranged and put in order by the Finance Department, and I am told that as many as 15 clerks were engaged simply in arranging these papers for about five to six hours. From this you can easily understand the mass of work we have got through, somehow or other we have got through it for the present and unless assistance is forthcoming there might be difficulty.

Then comes the seating arrangements in the gallery. We have at present no staff to see to this work. Then, during divisions we have got so many doors, of which the Chamber is unfortunately composed, that there are not menials enough to stand at these doors. There are also not menials enough to take messages. These difficulties are there. The Home Department is trying to meet us on these points as far as possible. We still require an increase in our staff and in fairness to them, I must say that they have been good enough to give us the services of officers whenever they have thought it necessary. The difficulty is that it is the Home Department that has to decide whether it is necessary, and *not ourselves*. We can understand the difficulty of the situation when we have to do the work, but another department has to say whether assistance is necessary or not. Still within the limitation we have been working and trying our best to cope with the work. I must say in this connection that the Hon'ble the Home Member and Mr. Blair have been quite sympathetic to meet our grievances. As a matter of fact, when we badly needed help, we had to get hold of an officer who was on leave—I mean Rai Bahadur N. N. Sen Gupta—almost by telegram without making any formal request, and they promptly arranged it. These matters are still pending. I would ask the honourable member, after a statement has been made by the Hon'ble Sir Nazimuddin, to withdraw his motion at this stage, because the matter is still under discussion between ourselves and the Home Department. I am quite cognizant of all the requirements, and it has been very helpful to me to know what the members' views are, and I hope that this statement of mine will be sufficient to explain the whole situation. Our difficulties have been added to by the fact that the Upper House also sat during the same time as we, and our staff also had to do some work for them. These arrangements we are accepting for the time being as inevitable, but if the same state of things continues, it will be very difficult to carry on in this way longer. I would now request the Hon'ble Sir Nazimuddin to make his statement on this matter

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, I think this is an excellent illustration of the difficulties which Government have to cope with when they are asked to reduce expenditure. To-day it is not a question for reduction of expenditure as usual, but for an increase of expenditure. Whenever Government makes an attempt to reduce expenditure, it is faced with difficulties as have been pointed out to-day. The old Government went into this question with the President of the old Bengal Legislative Council. It was difficult to estimate what would be the requirements of the new Legislative Assembly and what would be the requirements as regards the staff to deal with this additional work. They went very thoroughly into this question with the President of the old Bengal Legislative Council and came to a decision after discussion and agreement with the President as to what would be the additional staff required for the new Legislative Assembly so that when this new constitution was inaugurated we provided the staff that was agreed upon, with however this assurance to the Speaker that if it was found that it was not possible to cope with the work with the existing staff, Government would lend their own officers and clerical staff to assist them to get over the work of the first session, and after having experience of the actual requirements they would go into the question again more thoroughly at the end of the session and provide the necessary staff. There is no doubt that the volume of work has increased tremendously. Dr. Sanyal has given us an impressive list of questions, resolutions, adjournment motions, and Bills, and no doubt it is within our knowledge that the staff has had to work very hard. There is another very serious difficulty in this connection. The Legislative Assembly Department staff has had to work really very long hours and very hard during the present session of the Assembly, but during the recess, i.e., when the Assembly is not sitting, there will be a great diminution of work, and, therefore, it is very difficult to estimate correctly what should be the proper staff, because the danger is that if you provide a staff on the basis of work done when the Assembly is in session, then during the time when the Assembly is not sitting it would be found that a certain proportion of the staff will have very little work to do. This is a difficulty which Government had to face, and, therefore, they thought that it would be better to decide finally as to what should be the staff of the Assembly after experience had been gained during the first session, and, as the Hon'ble the Speaker has already informed the House, Government are prepared to go thoroughly into the question again and provide the necessary staff which would enable the Assembly Department to cope with the work.

As regards the Library, here, again, I might point out a difficulty and it is that, owing to the fact that the Upper House is also sitting in this building, it is at the present time not possible to find accommodation for all the almirahs, and, therefore, we could not give more space than the room that is at present given to the Library, because of

the demand for meeting the accommodation required for the Council having to sit in this building. I think the question of Library will also be settled when the new Council Chamber is built. (DR. NALINAKSHA SANYAL: What about new books?) Dr. Sanyal need not be impatient for I am coming to that. As far as the buying of books is concerned, in view of the added interest that is being taken by honourable members, Government will be prepared to consider the question of an increased grant for the purchase of books. As far as I know, Sir, this question was never raised before—I mean the question of an increased grant. It is only the Hon'ble the Speaker who raised this question of an additional grant, and Government are prepared to consider the question of increasing the grant for the purchase of books. But, here, again the question to be considered is what should be the amount of this grant. We generally find that those who are keen on building up a library are very fond of buying as many books as they can and the question as to the number of books that they can buy and which they can justify as necessary for the Assembly is very difficult to decide, and you make a very big grant or a very small grant. But in view of the fact that there are very good libraries in Calcutta, we ought to try and keep the grant within reasonable limits. I shall, however, discuss this question with the Hon'ble the Speaker and try to increase the grant to a figure which would be suitable for both the Assembly and the Council. We have got to bear in mind that for the present at least requisitions for books will come both from the Hon'ble the President and the Hon'ble the Speaker. And, therefore, the grant will have to be sufficient to meet these dual demands. Sir, I do not wish to take more time of this House, but I would simply like to repeat that Government are prepared to try and meet the demands for clerical staff so that the Assembly Department might work efficiently. In view of this assurance, I hope Dr. Sanyal would see his way to withdraw his motion.

**Dr. NALINAKSHA SANYAL:** In view of the assurance given by the Hon'ble the Home Minister, I beg leave of the House to withdraw my motion.

The motion was, by leave of the House, withdrawn.

**Mr. SPEAKER:** I am afraid I acted under a misunderstanding when I said that there was no other motion, but, as a matter of fact, Maulvi Shahedali did rise to move his motion, No. 98, which, as it is not a token cut but an economy cut, I shall have to allow him to move. But I must say that I propose to close the debate on "General Administration" at 1-15 p.m., for I shall have to keep some time in hand for divisions, if any. Therefore, I would like to ask the Opposition to let me know privately whether they intend to call a division on the substantive motion relating to the demand for grant under "General Administration."

**Mr. SHAHEBALI:** I move that the demand of Rs. 1,18,53,000 for expenditure under the head "General Administration" be reduced by Rs. 2,66,400.

Yesterday, Sir, there was a token cut moved on this subject of Commissioners of Divisions, and many speakers spoke on the undesirability of retaining the posts of Commissioners. And to-day, I am specifically placing before this House my motion for the abolition of the posts of Commissioners altogether, by refusing the grant for their establishment. The post of a Commissioner, Sir, is a link between the Collector and the District Magistrate and the Government of Bengal. If any benefit is derived at all by the local Government by this process it is that of dilatoriness. You know, Sir, the members of District Boards and Local Boards wait wistfully to see the names in the "Calcutta Gazette," but they fail to see owing to delay in sending them up before the Bengal Government. For this unnecessary delay there were cases also against the election of the local board or the district board. My submission is that these posts of Commissioners actually do no benefit to us—rather they eat up a heavy amount of our taxes, and my submission to this House is that they should think seriously whether there should be this establishment of Commissioners or not.

In this connection, Sir, one question might be raised, that revenue work will suffer. I humbly submit that instead of the Commissioners hearing appeals, as now, these appeals can well be heard by the Board of Revenue. In this view of the case, Sir, we can do away with the posts of Commissioners.

The next question that will ensue upon the abolition of the posts of Commissioners is the question of unemployment, on account of the clerical and other staff having got to be discharged. But to this I can only say that every year hundreds of clerks, etc., are taken in the Secretariat, and instead of recruiting outsiders preference should be given to these men who may have to be discharged. Further, these men may be absorbed in the Secretariat on their own pay, which will, in turn, mean considerable saving to Government.

My submission to this House is whether in any way we can manage to do away with the posts of Commissioners, and have the money thus saved applied to furthering nation-building work.

(As many members rose in their seats to speak on this motion, Mr. Speaker observed as follows.)

**Mr. SPEAKER:** There is very little time left, and I must now ask the Hon'ble the Home Minister to reply.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, this again is a very difficult and complicated question, and this Government have not had the time to go thoroughly into this question, but I would like to point out to this House some obvious difficulties and some reasons why Commissioners of Divisions are necessary for the present at least. First of all, Sir, there is the question of revenue appeals that have got to be heard. Supposing we were to accept the suggestion of the mover, it would mean that either the litigants would have to come to Calcutta or that the Member of the Board of Revenue will have to tour for hearing appeals. Then, again, it would not be possible for any one Member of the Board to hear all the appeals. Actually, therefore, there would be very little economy, because the number of Members of the Board of Revenue would have to be raised. In Madras, where there are no Commissioners, instead of one Member of the Board of Revenue, there are three, and the number of Collectors there is also much more than there. Also, there are Collectors and Sub-Collectors—Collectors being placed in charge of some of the larger districts and are also of a higher grade and rank than our ordinary Collectors here. The Sub-Collectors are junior to the Collectors in Bengal both as regards grade and rank. The system in Madras is different from what it is in Bengal, and I doubt if there will be very much economy if we abolish the Commissionership and increase the number of Members of the Board of Revenue as a consequential measure.

The question of unemployment will also arise in this connection. With regard to the clerical staff that will have to be discharged if the Commissionerships were abolished, I would like to point out that it is a gross exaggeration to say, as has been said by the honourable mover of this motion, that hundreds of men are taken in in the Secretariat every year. I may say, Sir, that the number, on the contrary, is very limited. Their number is very limited, and if the existing staff of the Commissioner's establishment are to be taken then it will mean that at least for three or four years the recruitment of outsiders will have to be stopped. Therefore, for three or four years it will mean unemployment, but the most important question for consideration is that the Commissioners do a certain amount of inspection and supervision work. If we do away with the Commissioners it will be necessary to have some other officers for inspection and supervision work.

Then again the policy of Government is to concentrate on rural development and rural reconstruction. For this work the Commissioner is an ideal officer as he co-ordinates the work of various District Magistrates, and I think the work of the Commissioner will increase in importance and utility as we progress in our work for rural welfare and rural reconstruction and economic development of the rural areas.

It will be possible, I think, to find very useful, important and responsible work for the Commissioner in our new scheme of things. It will be a great mistake if the House were to decide at the present time to do away with the post of Commissioners.

Last of all there could be no reduction in the cadre of the Indian Civil Service as these officers are there and even if the post of Commissioners be abolished, they will be drawing their salary according to their scale. It will only be the clerical staff that will be abolished. Then again as long as the sanction of the Secretary of State is not obtained, we cannot abolish these posts, and it is very doubtful if the Secretary of State will at all agree to the reduction or abolition of the post of Commissioners simply because reduction will cause some saving. I know there is the precedent of Assam. We do not know how Assam will get out of the difficulty in which she has landed herself. I know that in 1926-27 the old Legislative Council refused the salaries of the inspecting staff of the Education Department and within six months of its doing so, the House by an overwhelming majority passed the salaries of the inspecting staff because of the difficulties that were created owing to the action of the House. So I would request the House to consider and allow the Government to go into this question and find ways and means as to what can be done in this matter. Supposing the clerical staff were to be retrenched, then it might be necessary to give them compensation because they were recruited on the basis of permanent appointments. This also is a question which Government will have to go in, and I am sure it may be possible to find work for the Commissioners over and above what they are doing now. It is a misconception to think that the work of a Commissioner is purely that of a post office. Their very presence is a great help and they do a great deal of work by advising and guiding the District Officers. They are of extreme help on occasions when there are troubles in the districts as by their presence, their advice and long experience they can help in meeting those troubles. Therefore, I suggest that the hon'ble mover will withdraw the cut motion.

**MR. SHAHEDALI:** Sir, I beg leave to withdraw my motion.

The motion was then, by leave of the House, withdrawn.

**MR. SPEAKER:** I think it is no use carrying on the discussion any further. I ask Mr. Birendra Kishore Ray Choudhury to move his motion for the separation of the Executive and the Judicial.

**MR. SYED JALALUDDIN HASHEMY:** Knowing fully well that we cannot discuss any action of His Excellency the Governor, may I enquire if the members of this House are entitled to discuss his salary?

**MR. SPEAKER:** I am not supposed to give any theoretical opinion, and I have already said that so far as that discussion is concerned, it is wholly *ultra vires*. If any issue is raised, I will give my decision.

**MR. BIRENRA KISHORE RAY CHOUDHURY:** I beg to raise a discussion regarding the separation of Judicial and Executive functions.

I beg to invite the attention of the Government as well as this Assembly to an important aspect of our district administration. I want, Sir, that the attention of this House be focussed on the existing principle of combining Executive and Judicial powers in the hands of the same functionaries. This system may have been suited to the circumstances of early British rule in this province. But it is a pity that it remains securely entrenched in our districts even in the full glare of the fourth decade of the 20th century. Sir, by raising this issue we are not treading upon a subject which is unfamiliar. For the last fifteen years, of course, the country has been engrossed in wider political issues and has consequently given cold shoulder to this question of administrative detail. But for a long time before the birth of the Gandhi movement this question was a live issue in all political circles in India. It occupied much space on the Congress platform and took a considerable toll upon the attention of the officers of the Government. It was exactly one hundred years ago that some covenanted officers of the East India Company tried to bring home to the Government of the day the evil effect of the system of combining Executive and Judicial powers in the same hands. A committee was appointed in 1836 by the Government of India to investigate into the working of the police organization of lower Bengal and recommend better methods of maintaining law and order in this province. Sir Frederick Halliday, later the first Lieutenant-Governor of Bengal, was a member of this committee. He definitely gave it out as his opinion that the same functionary must not on any account be both the thief-catcher and the thief-trier. Such combination was irrational and unscientific. It was a menace to the maintenance of individual liberty and freedom. A person who had incurred the displeasure of the Executive officer might be out of spite taken into custody at his instance. If he was tried also by the same officer or by an officer subordinate to him, there was little chance of his getting any justice and fair play.

One century has passed by since this outspoken opinion was expressed upon the subject by a member of the bureaucracy itself. During this long period many times this question was echoed not only from the Congress platforms but also from the treasury benches in the Legislative Councils. But nothing has so far come out of either the demands of the people or the promises of the Government. In

1908 Sir Harvey Addamson, the Home Member of the Government of India, announced in so many words on the floor of the Imperial Legislative Council that the Government had accepted the policy of bifurcating the two functions and that this policy would be given effect to as early as possible in the province of Bengal. Nothing, however, was actually done in this direction during the next twelve years. Then early in 1921 the Montagu-Chelmsford Reforms were brought into operation in the country. In this régime the question had become primarily a provincial one. This subject came in for discussion in the Bengal Legislative Council and a resolution was passed in 1921 for giving effect to the principle of separating Executive from Judicial functions in the districts. A committee was also appointed to devise a scheme for putting into practice this principle of administrative reform. It was presided over by Mr. Justice Greaves and consisted of several well-known politicians and experienced officers of the Civil Service. The committee after due enquiry and necessary examination of witnesses submitted its report to the Government of Bengal. In its report the committee pointed out that there was no practical difficulty in giving effect to the principle of separation. The committee also framed a scheme which the Government was expected to consider and carry out without much loss of time. But, Sir, nothing was done during the last fifteen years.

The arguments in favour of the separation of the Executive from Judicial functions are so well known, so decisive and have been advanced on so many occasions that it is needless for me to-day to elaborate them at length. Towards the close of the last century, an important memorial signed by many persons who had ample experience of the Indian administrative and judicial mechanism was submitted to the Secretary of State for India. In this memorial which is usually known as the Hobhouse Memorial all the necessary arguments against the system of combining Executive with Judicial duties were incorporated and validity and force of these arguments have been admitted by everybody who has any knowledge of administrative science and experience of administrative mechanism.

It is true, Sir, that in many parts of the province the District Magistrate himself does not try any case. But this has not improved the organisation by even an iota. He himself may not sit in judgment upon cases which have been instituted at his instance or in which he is otherwise interested. But although he may not try these cases himself the other Magistrates who are in every way his subordinates are required to try them. It can only be imagined how these Subordinate Magistrates may dispose of cases in which their official superior is interested. Their promotion and future prospects depend largely upon his attitude towards their work. Consequently, once they know and even once it is noised about that the District Magistrate wants a case

to be tried and disposed of in a particular fashion, the trying Magistrates cannot but be eager to do his bidding, which may be explicit or implied. Besides, it should also be known that the Subdivisional Magistrates who are the chief executive officers of the areas under their charge have to try cases themselves. The system in fact is so vicious that all independence has been pumped out of the trying Magistrates. They do not dare to try any case, especially a political case, according as they think wise and best. They take the line of least resistance. They take their cue from the prosecuting executive and dispose of the cases according to the inspiration derived.

It is high time, Sir, that such an organisation is overhauled and the judiciary is completely separated from the executive. So long as the officers presiding over criminal courts are not placed on the same footing as the munsifs with regard to the conditions of their service, the liberty and freedom of the individual citizens will continue to be menaced as they have been menaced in the past. The Reforms which have been introduced in the Writers' Buildings and the Council House will have little repercussions in this sphere. The work of separating the functions which has been left undone by the Government so far should, therefore, be immediately taken up by the new Ministry. I knew, Sir, that the question of finance may be raised in this connection and on the ground of expense the reform may again be held over. But, Sir, I may remind the Government that the Greaves Committee was definitely of opinion that in order to bring this reform into operation an initial expenditure of Rs. 1,53,000 and a recurring expenditure of Rs. 4,48,000 a year would be enough. In the budget estimate, Sir, I find that under the head "District Administration" an increase of about fifteen lakhs of rupees has been provided for above the revised estimate for 1936-37. It is also well known that for purposes of extraordinary police provision in the province fifty-four lakhs of rupees have been annually spent for over half a decade. If so much money can be found for these purposes I do not see why on the ground of extra expenses of only four lakhs and a half this much-needed administrative reform should be held over any longer.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, this is a very big question, and, I doubt if it can be dealt with in four minutes' time. The difficulty about this is that it is not an accepted principle that Judicial and Executive should be absolutely separated. The only country where it is in existence is America where they have got into a first class constitutional tangle—Mr. Roosevelt and the Supreme Court are having difficulties there. It is not so in England, and it was misreading of the situation that led America to adopt this policy of separation of Judicial and Executive. But the most important argument against it is that it will lead to a very large increase of

expenditure and will make it very difficult for the public to get both Judicial and Executive services, because if you have got to separate the two either you have got to increase the number of judiciary or the executive or even if you have to reduce it, then the public will have to travel long distance to get justice. The question of funds is the most important one. But in view of the fact that the higher judicial courts have got right to revise and supervise the work of the Executive-judicial officers, there is no danger, real or serious danger, of miscarriage of justice. So long as the High Court remains independent and not under the control of the Executive Government, there is no likelihood of any danger whatsoever.

**Mr. SANTOSH KUMAR BASU:** Has the Hon'ble Minister ever been a practising lawyer?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Therefore, I think, that at the present time the separation is not advisable, and I would deprecate it in view of the additional cost and other difficulties. I do not think that the conditions are commensurate with the amount of expenditure that will be necessary. We may examine the question along with others in good time, and the Assembly will have its first claim. I agree to discuss this question round the table if you are so keen on it. In view of what I have said, I hope the honourable member will withdraw his amendment.

**Mr. BIRENDRA KISHORE RAY CHOUDHURY:** I beg leave to withdraw my motion.

The motion of Mr. Birendra Kishore Ray Choudhury was then, by leave of the House, withdrawn.

The original motion of the Hon'ble Khwaja Sir Nazimuddin that a sum of Rs. 1,18,53,000 be granted for expenditure under the head "25—General Administration" was then put and agreed to.

### Adjournment.

The House was then adjourned till 3-45 p.m. on Monday, the 23rd August, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday,  
the 23rd August, 1937, at 8-45 p.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.)  
in the Chair, the eleven Hon'ble Ministers and 215 members.

**MR. SPEAKER:** Before the questions are taken up, I should like  
to inform the House that I have circulated a printed copy of the ruling  
on section 82 of the Government of India Act. I do not propose to  
read it out, but it will form part of to-day's proceedings of this  
Assembly.

**Ruling of Mr. Speaker on the scope of section 82 of the Government  
of India Act.**

The scope of Section 82 of the Government of India Act determines  
not only the restriction on the rights of, what may be termed in the  
absence of anything better, a private member of the legislature but it  
has its important bearing on the relative constitutional position of the  
two Chambers. On its true and correct exposition depend the Bills  
that can or cannot be originated in the Legislative Council.

2. The Section deals with five different items in two divisions,  
viz.,—

A. Bill or amendment making provision—

- (1) For imposing or increasing any tax.
- (2) For regulating the borrowing of money or the giving of any  
guarantee by the Province.
- (3) For amending the law with respect to any financial obligations  
undertaken or to be undertaken by the Province.
- (4) For declaring any expenditure to be charged on the revenues  
of the Province or for increasing the amount of any such  
expenditure.

B. (5) Bills involving expenditure from the revenues of a Province.

3. The following matters require elucidation in this connection:—

- (1) What is the meaning of the word "tax"?
- (2) What is the meaning of the phrase "amending the law"?
- (3) What is the meaning of "involving expenditure from the revenues of the Province" as distinguished from "financial obligations undertaken or to be undertaken"?
- (4) What is the meaning of "revenues"?

4. It will be noticed that the Section makes several important distinctions—

- (i) certain Bills or amendments cannot be introduced or moved except on the recommendation of the Governor,
- (ii) certain Bills, but not amendments, cannot be passed by a Chamber of the Legislature unless the Governor recommends to the Chamber the consideration of the Bill.

5. The Section also enunciates the constitutional principle that certain Bills cannot be introduced in the Legislative Council, and here also there is no mention of the word "amendment."

6. In interpreting this Section it is desirable to bear these distinctions and provisions in mind. It may at the very outset be mentioned that the provisions of the White Paper were that "money Bills" should be initiated in the Legislative Assembly only, and that a recommendation of the Governor will be required for any proposal in the Provincial Legislature for imposing of taxation, for the appropriation of public revenues or for any proposal affecting the public debt of the Province or for affecting or imposing any charge upon public revenues.

7. Commenting on the proposals of the White Paper the Joint Committee said that legislative procedure in matters of finance differs in India from that which exists in the United Kingdom and they found that the scheme of the White Paper was in conformity with "the system with which Indians are familiar and which appears to have worked sufficiently well in practice". They approved the principle behind the proposal of the White Paper in regard to the financial procedure which, they said, were "based upon the principle which must always be the foundation of any sound system of finance that no proposal for the imposition of taxation or for the appropriation of public revenues, for any proposal affecting or imposing any charge upon those revenues, can be made without recommendation of the Governor, that is to say, it can only be made on the responsibility of the Executive." They also definitely approved the principle that "in those provinces

where the legislature is bicameral, money Bills shall be initiated in the Legislative Assembly alone." If these principles behind the proposals of the White Paper and the intentions of the Joint Committee are borne in mind, it will probably be easy to understand the bearing of Section 82 on financial procedure and practice and its effect on the constitutional position of the Assembly and the Council.

8. Now first as to the meaning of the word "tax". Under Section 311 (2) taxation "includes the imposition of any tax or impost whether general or local or special;" and "tax shall be construed accordingly." In the Seventh Schedule various terms have been used, such as, tax, duties, rates, dues, tolls, fees, etc. Now tax means a tribute imposed on subjects, direct or indirect (Wharton's Law Lexicon). In effect it means any realisation from the subjects in the nature of a financial liability imposed by law or any form of compulsory payment made to the State.

The Indian Taxation Enquiry Committee of 1924-25 adopted the following definition as their working basis:—

"Taxes are compulsory contributions made by the members of a community to the governing body of the same towards the common expenditure without any guarantee of a definite measured service in return."

The Committee did not include revenue from State lands, Fisheries, Mines and Forests within the definition of tax. They were divided in opinion as to whether land revenue is a tax or not which, according to the Committee, had characteristics of rent as also of tax. They were similarly divided with respect to Irrigation Rates. According to the Committee, if an impost is in the nature of payment for services rendered directly or indirectly, it does not come under the definition of tax. On the definition of the Indian Taxation Committee, any impost except where it is for services rendered is a tax. Judged, however, in the light of the definition in the Government of India Act, there is no doubt that excepting fines or pecuniary penalties, fees for licenses or for services rendered, which are excepted by Section 82(2), any duty, rates, tolls, fees, whether it is local or provincial or special, is a tax within the scope of Section 82. In view of the word "special" in the definition clause, both land revenue and irrigation rates will come within the term tax, as both of these are imposts on special basis.

9. The next important point is the meaning of the word "law" and of the phrase "amending the law." In its generic sense, law means the rule of action to which men are obliged to make their conduct conform. In the definition clause of the Act, "existing Indian law" means any law, ordinance, order, bye-law, rule or regulation made by any legislature, authority or person having power to make such a law, ordinance, order, bye-law, rule or regulation. It is interesting to note

that in the definition the term is "existing Indian Law" to limit its scope to existing enactments and rules, etc.

It appears that various terms have been used in the different Sections of the Act, viz.—

- (1) "An Act of the Legislature" in Section 76(2).
- (2) "Amending the law" in Section 82(i)(b).
- (3) "To make laws" in Section 99(1).
- (4) "A provincial law" in Section 102(2).
- (5) "Repeals, amends or affects any Act" in Section 108(2)(ii).
- (6) "To make any law" in Section 110(b).
- (7) "To make any law amending any provision" of any Act in Section 110(b)(ii).

A Provincial Legislature which consists of the Governor as the representative of His Majesty and one or two Chambers, as the case may be, has power to "make a law", "to make any law", "to make laws", but the Provincial Chamber or Chambers function only in passing or enacting a Bill, which becomes an Act of the Legislature on receiving requisite Assent. It is then "a law" and is one unit of "the law"; and "the law" means the body of laws. "Repealing, amending or affecting any Act or any provision of an Act" is as much amending "the law" as the passing of a new Act, creating new rights and obligations or new rules of conduct. A new enactment may not be amending *a* or *any* law, i.e., an existing enactment, etc., but it changes or amends *the* law. That is to say, by creating new rights, or obligations, it brings about a change in the existing rights, obligations. The phrase "amending the law" therefore means not merely to bring about any change in any existing law, ordinance, order, bye-law, rule or regulation but also to make any new law or any new provision having the effect of law.

10. The third point is the meaning of the words "involving expenditure from the revenues" as distinguished from "financial obligations." Financial obligation undertaken or to be undertaken means definite appropriation of public revenues, in fact or specifically intended. It means that if any Act or its provision provides for the acceptance of a financial liability, immediate or intended, by its own effect and operation, it is in the nature of a financial obligation. The point can be illustrated in this way. The Bengal Waterways Act was passed by the Legislature some years back. The Act provides payment of specific money from the Provincial revenues to the Waterways Board. Even though provisions of the Act are not yet fully brought into operation, the financial obligations are there and will have to be undertaken as soon the Act is fully given effect to. This Act therefore intends to

create financial obligations to be undertaken. On the other hand anything in the nature of bringing expenditure in, not by its own operation but only as a *direct consequence* involves expenditure from the revenues; it does not mean direct or definite or immediate appropriation, sanctioned by the legislature, but something that must necessarily mean or involve expenditure as its direct consequence. Supposing a Bill proposes to create an autonomous Juté Board which will not receive any contribution from the provincial revenues, yet the local Government is required by the Bill to constitute the Board from time to time by holding an election by ballot on wide franchise. This must necessarily involve Government in additional or new expenditure for elections—preparing list of voters, holding elections, etc. Supposing the Act again requires Government to establish a research Laboratory. This Bill will then come under the latter category, viz., it will involve expenditure from the revenues. Yet if the Bill only provided such duty as could normally be done by the local Government without such expenditure, the Bill will be outside its scope. If a proposal in a Bill involves expenditure only remote or only as a possible contingency, it is not involving expenditure from the revenues. For there is hardly any Act of legislature which may not mean expenditure in some form or other. The border line between what involves and what does not involve expenditure will be determined with the growth of conventions, but as a working basis, the above is a fair formula.

11. The next is the meaning of the word "revenue." Under Section 136, revenue of a province "includes all revenues and public money raised or received by a province"; it means all kinds of receipts of Government, no matter what the nature of their sources is; it includes both the ordinary revenue as well as receipts from other sources, what is usually incorporated in capital accounts, such as, loans, deposit, receipts from commercial undertakings, etc. It includes fines and penalties which are received by the Government.

12. Analysed and dissected, Section 82 therefore means that—

(A) The following Bills or any amendment making the following provisions cannot be introduced or moved except on the recommendation of the Governor, i.e., except on the responsibility of the Executive Government and that no private member can therefore bring in any such Bill or give notice of any amendment to any Bill without the recommendation of the Governor, viz., which—

- (1) imposes or increases any tax,
- (2) regulates the borrowing of money or gives any guarantee, by the province,
- (3) provides for or affects any appropriation of public revenue, and
- (4) declares any expenditure to be expenditure charged on the revenues of the province or increases such amount.

(B) Any Bill, with any such aforesaid provision cannot be initiated in a Legislative Council.

(C) There is no bar to any amendment being made to a Bill, otherwise duly brought up before the Legislative Council, *without changing its character*, even though the amendment contains any of the aforesaid provisions. But all such amendments must have the recommendation of the Governor before it can be introduced or moved.

(D) By the explanatory clause in Section 82(2) any Bill or amendment shall not be deemed to make provision for any of the purposes aforesaid by reason only that it provides for the imposition of fine or other pecuniary penalties or for the payment of fees for licenses or fees for services rendered; but if such fines, penalties or fees are credited to the revenues of Government, any proposal to appropriate such fines, penalties or fees will be governed by the previous provisions, viz., it cannot be introduced or moved except on the recommendation of the Governor and such a Bill but not amendment shall not be initiated in a Legislative Council.

(E) A Bill which does not provide for appropriation of revenues by its own operation but involves the province expenditure from the revenues as its direct consequence can be introduced in any Chamber, Council or Assembly, but unless the Governor recommends to any Chamber the consideration of the Bill, it cannot be passed; this governs only a Bill but not amendment to a Bill otherwise duly brought up. But such amendment must not change the character of the Bill.

13. Possibly it may be argued that the latter part of Section 82(1)(b) is applicable, only to the case of a Bill or amendment making provision for amending any existing law, that is to say, it is applicable when it is in the nature of changing or amending any existing enactment or rules or regulations, ordinances, bye-laws, etc., but is not applicable to a Bill intended to promulgate a new law altogether. A moment's scrutiny will show that this contention cannot be correct; for in that case the position will be that a Bill, which intends to bring about any change or amendment in existing law with respect to any financial obligations undertaken or to be undertaken by the province, cannot be initiated in the Legislative Council, but a new enactment which for the first time creates a new financial obligation, provides for a new appropriation can be initiated in the Legislative Council. If it is to bring about a change or modification in an existing statutory appropriation of public revenues it cannot be initiated in the Council, but if it is for new appropriation of public revenues it can be! This was never the intention of the White Paper, the Joint Committee or the Parliament which definitely intended that appropriations of all character of the public revenue, money Bills, of all kinds should be initiated in the Assembly only. It will be seen that a money Bill under the definition in the House of Commons

includes a Bill for supply and appropriation of public money or subordinate matters incidental thereto. From the intentions of the Parliament, it is clear that what was intended was that the initiation of all Bills for any appropriation of public revenue, whether it is by change of an existing law or by promulgating a new law, will be in the Assembly. And this is in conformity with the constitutional position of the lower House in any system of parliamentary democracy with bicameral legislature. If it was intended to limit its scope only to existing laws, the word *existing* would have been used in the Section, just as it finds place in the definition clause. The fact that the term is "the law", instead of "existing laws" clearly indicates the wider import of the term than merely existing enactments.

14. There is only incidental point arising out of these discussions, and probably it will be better understood with reference to concrete facts. The Bengal Legislative Assembly has just passed several Bills—Ministers' Salary Bill, Members' Emoluments Bill, etc. All these Bills create financial obligations and come under Section 82(1)(b).

The Government proposed Rs. 125 as the salary of members in the Bill. A member proposed an amendment in favour of Rs. 150 which was passed. Such an amendment will of course require the recommendation of the Governor. But if there was an amendment in favour of a reduction, say, for Rs. 100, would it still require the recommendation of the Governor? Strictly within the letter of the law, even such an amendment would require, but there is something like implied recommendation. If the Governor has recommended Rs. 125 as the salary, it would be correct as a matter of constitutional convention to hold that any amendment for reduction to a lower figure has the recommendation of the Governor. Such recommendation can be constitutionally taken to be implied in the recommendation of the higher figure.

15. There is just one difference in procedure. Section 82(3) requires recommendation to the Chamber and whereas Section 82(1) merely requires recommendation. In the latter case it would be sufficient if the Minister of Government merely mentions in giving notice that it is on the recommendation of the Governor, but the recommendation to the Chamber must be in the nature of a formal communication to the Chamber, i.e., to the Speaker or to the President, as the case may be.

16. It would be for the Speaker to decide in this Assembly as to whether a Bill or an amendment comes within the provision of Sections 82(1) and 82(3) and while the applicability of Section 82(1) would probably not be difficult, it would not be so easy in the case of a Bill which if enacted and brought into operation would involve expenditure from the revenues of a province. In the circumstances, if any Bill or amendment is admitted without any recommendation of the Governor, as required under Section 82(1) or 82(3), as the case may be, the Minister-in-charge of the Department concerned should raise an objection at the earliest possible and appropriate opportunity before the House, but it

would facilitate matter if in the meantime necessary steps are taken on this behalf.

17. One more point about Section 82(3). A Bill involving expenditure from the revenues of the province cannot be passed by a Chamber of legislature unless the Governor has recommended to that Chamber the consideration of the Bill. Such Bills can therefore be introduced in a Chamber without the recommendation of the Governor and technically it can also be taken into consideration though not passed without such recommendation. But it would mean only fruitless waste of time for a Chamber if the recommendation of the Governor is ultimately refused after a Chamber has passed through the consideration stage. A convention should therefore be followed that the Executive Government should come to a decision, immediately after such a Bill is introduced as to their attitude, so that in case the recommendation of the Governor is refused, the House may have an early notice and may not unnecessarily waste its time in considering a Bill which cannot in the last stage be passed in the absence of the Governor's recommendation.

### UNSTARRED QUESTIONS

(to which answers were laid on the table)

**Formation of a union board within the police-station of Tarail,  
Mymensingh.**

**13. Maulvi ABDUL HAMID SHAH:** (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether any union board has been formed within the police-station of Tarail in the district of Mymensingh? If not, why not?

(b) Will the Hon'ble Minister be pleased to state whether Government are prepared to consider the desirability of forming union boards within the said police-station at an early date?

**MINISTER in charge of PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Maulvi Syed Nausher Ali):** (a) No. No proposal for the establishment of union boards in the area in question has been received by Government from the local officers.

(b) **Yes:** if any proposal is received to that effect from the local officers.

**A Member:** What are the reasons for no proposals being made by the local officers for the formation of union boards?

**The Hon'ble Maulvi SYED NAUSHER ALI:** The reasons are known to Government but I propose not to disclose them.

**A Member:** Are the proposals for the formation of union boards made by officers on their own initiative?

**The Hon'ble Maulvi SYED NAUSHER ALI:** Yes.

#### Filling up of appointments in the Co-operative Department.

**14. Maulvi MD. HASANUZZAMAN:** Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state the procedure according to which the appointments in the Co-operative Department which were last advertised will be filled?

**MINISTER in charge of CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick):** The hon'ble member is referred to the answer to starred question No. 8 given at this session of the Bengal Legislative Assembly on the 2nd August last.

**Dr. H. C. MUKHERJI:** Is it the intention of Government to shelve the proposals for the deprovincialisation of Government secondary schools?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** There is no question of shelving it but I have said that there is no proposal at present before Government.

**Dr. H. C. MUKHERJI:** Will the Hon'ble Minister be pleased to state whether the proposal will be taken up at all and if so, whether it will be taken up in the near future?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** On that, Sir, I can express no opinion.

**Secondary Schools.**

**15. Dr. H. C. MUKHERJI:** Will the Hon'ble Minister in charge of the Education Department be pleased to state the steps, if any, proposed to be taken by Government to deprovincialise the secondary schools either completely or gradually, school by school?

**MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** There is at present no proposal before Government for the deprovincialisation of Government secondary schools. The question of deprovincialisation of Government high schools was considered by the former Government, but it was ultimately dropped.

**River Bidyadhari.**

**16. Rai HARENDRA NATH CHAUDHURI:** (a) Is the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department aware—

(i) of the deterioration of the river Bidyadhari; and

(ii) that a large and thickly populated area within the Tollygunge thana and municipality and Sonarpur, Bhangore and Rajhat thanas, remain water-logged during the greater part of the year?

(b) If the answer to (a) is in the affirmative, what steps, if any, are proposed to be taken to remove the public inconvenience and menace to the health of the people of the locality?

**MINISTER in charge of COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Kasimbazar):** (a) Yes.

(b) The drainage condition of the area will improve after the Kulti Drainage Outfall Scheme of the Calcutta Corporation is completed.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister aware that the opinion of the Engineers of the Calcutta Corporation is that even after the Kulti scheme is completed, there will not be much improvement?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I have already stated in my reply that the area will improve, but certainly that would not entirely solve the problem of keeping water out of that area.

**Dr. NALINAKSHA SANYAL:** In view of that, may we enquire whether there is any other scheme under contemplation of Government to give permanent relief to the affected area?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** Sir, I myself along with my hon'ble colleague, Mr. Nausher Ali, visited that area to investigate as to what may be done to stop recurrence of flood. I am not now in a position to state what steps Government propose to take, but certainly we are thinking of looking into the question in some detail before coming to a decision. There is a proposal to dig out a small channel and thereby connect the flooded area with the river Piali to drain off the water from the affected area. We are also considering the proposal to put up a bund and isolate the residential area from the area on which paddy is grown, and pump out the water from there.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister aware that there are certain rich owners of fisheries in the locality whose interests are directly against the interests of the local inhabitants and who somehow or other manage to keep water there in their own interest?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I am not aware of that.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister going to investigate as to whether certain rich fishery owners try to induce Public Works Department men to prevent clearance of water from the locality?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I do not know how that question arises out of this. As I have already stated, Government would start investigation into the matter possibly the next winter.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister aware of a system prevalent in Holland and Italy which is known as Bonification by which such water-logging areas are kept free by taking out such water by an easy system of pumping?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** Although I have not had the privilege of visiting Holland and studying the question like my honourable friend, but as I have already stated in my reply, Government are contemplating a scheme on similar line.

**Babu NACENDRA NATH SEN:** Will the Hon'ble Minister be pleased to state the area of the tract affected and the population of that tract of land?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**  
I understand the area is 14 square miles and the population about 8,000.

**Honorary Surgeons and Physicians in the Medical College group of Hospitals.**

**17. Maulvi AFTAB HOSAIN JOARDAR:** (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(i) the number of Honorary Surgeons and Physicians in the Medical College group of Hospitals; and

(ii) the number of beds attached to each?

(b) Is it a fact that there is a difference in the distribution of beds among the Indian Medical Service Officers of the Medical College and the Visiting Surgeons of the Medical College Hospitals?

(c) If so, what are the reasons?

**The Hon'ble Maulvi SYED NAUSHER ALI:**

(a) (i)	..	..	..	..	..	6
(ii)	Honorary Additional Physician	..	..	..	..	30
	Honorary Additional Surgeons	..	..	..	..	46
	Honorary Surgeon, Ear, Nose and Throat	..	..	..	..	12
	Honorary Physician, Chest Department	..	..	..	..	12
	One Honorary Ophthalmic Surgeon	..	..	..	..	24
	One Honorary Ophthalmic Surgeon	..	..	..	..	12

(b) Yes.

(c) The Indian Medical Service Officers belong to the Senior Professorial Staff and they require a larger number of beds owing to the fact that they are the professors of the subjects of instruction and are principally responsible for the clinical instruction of the students in their respective subjects.

**Honorary House Surgeons in the Medical College and Campbell Hospitals.**

**18. Maulvi AFTAB HOSAIN JOARDAR:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

- (i) the number of Honorary House Surgeons appointed during the last 5 years in the (1) Medical College Hospitals, and (2) Campbell Hospitals; and
- (ii) the number of them that were non-Hindus?

**The Hon'ble Maulvi SYED NAUSHER ALI:** (i) and (ii)—

	Number appointed.	Number of non-Hindus.
Medical College Hospitals	145	28
Campbell Hospital	53	6

**Maulvi ABDUL BARI:** Out of the 28 appointments shown against the number of non-Hindus, how many are Muslims?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I require notice.

**Medical College Hospitals.**

**19. Maulvi AFTAB HOSAIN JOARDAR:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to lay on the table a statement showing for the last ten years—

- (i) the number of posts in the Medical College Hospitals held by Bengal Medical Service officers;
- (ii) the number of Bengal Medical Service officers retrenched and substituted by officers on contract;
- (iii) the number of retrenched non-Hindu Bengal Medical Service officers; and
- (iv) the qualifications and special attainments of each of the Bengal Medical Service officers employed as Registrars prior to their replacement by officers on contract?

**The Hon'ble Maulvi SYED NAUSHER ALI:**

(i) 1927	..	..	..	24
1928 and 1929	..	..	..	23
1930	..	..	..	25
1931-35	..	..	..	26
1936	..	..	..	24

(ii) Three—two by six contract officers and one by a Sub-Assistant Surgeon.

(iii) Nil.

(iv) They had worked satisfactorily as House Surgeons or House Physicians.

#### **Reduction of the number of Judicial officers.**

**20. Mr. AMRITA LAL MANDAL:** (a) Is the Hon'ble Minister in charge of the Judicial and Legislative Department aware that on the introduction of the Union Bench, Union Court and Debt Settlement Board the number of both criminal and civil cases have fallen?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state whether Government propose to reduce the number of judicial officers?

**MINISTER in charge of JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Pawa Musharruff Hossain, Khan Bahadur):** (a) In 1931-1933 there was a marked increase in civil cases. Since the introduction of Debt Conciliation Boards there are indications that there may be some decrease, but it is not possible at present to say how far the decrease is due to their introduction and how far it is due to other factors.

(b) Government is alive to the necessity of endeavouring not to employ more judicial officers than are necessary for the work to be done and will watch the situation and take such steps as seem to be required.

#### **Clerks in the offices under the Medical Department.**

**21. Maulvi AFTAB HOSAIN JOARDAR:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to lay on the table a statement showing for the last ten years the number of clerks appointed permanently and temporarily in each office under the Medical Department from—

(i) Hindus; and

(ii) Muhammadans?

**The Hon'ble Maulvi SYED NAUSHER ALI:** A statement showing the number of Muhammadan and non-Muhammadan (including Hindu) clerks appointed permanently and temporarily in each office under the Medical Department for the last ten years is laid on the table. Classification as Hindus and Muhammadans is not observed in the records maintained.

Statement referred to in the answer to unstarred question No. 21 showing the number of clerks (Muhammadans and non-Muhammadans) appointed in each office under the Medical Department during the last ten years ending 1936-37.

	Number of Mu- hamma- dan clerks appointed perman- ently.	Number of Non- Mu- hamma- dan clerks appointed perman- ently.	Number of Mu- hamma- dan clerks appointed tempor- arily.	Number of Non- Muham- madan clerks appointed tempor- arily.
<i>Calcutta Offices.</i>				
1. Surgeon-General's Office	10	6	29	47
2. Medical College Hospital	4	5	21	33
3. Campbell Medical School	1	2	4	6
4. Campbell Hospital	1	3	4	7
5. Chemical Examiner	1	2	..	1
6. Voluntary Venereal Hospital	..	1	..	..
7. Presidency General Hospital	8	9	2	1
8. Tropical School	3	3	6	..
9. Carmichael Hospital	..	1	1	..
10. Albert Victor Hospital	..	..	..	1
11. Pasteur Institute	..	1	5	9
12. Medical College	..	1	23	82
<i>Mufussal Offices.</i>				
1. Mental Observation Ward	..	..	..	..
2. Sambhunath Pandit Hospital	..	1	..	..
3. Mitford Hospital	1	..	..	..
4. Dacca Medical School	2	2	1	1
5. Lytton Medical School	..	1	5	..
6. Chittagong Medical School	..	1	..	..
7. Jalpaguri Medical School	1	..	1	3
8. Ronaldshay Medical School	1	2	1	..
<i>Civil Surgeon's Offices.</i>				
1. Bakarganj	1	..	1	..
2. Bankura	..	1	..	4
3. Birbhum	..	..	2	..

	Number of Muhammadan clerks appointed permanently.	Number of Non-Muhammadan clerks appointed permanently.	Number of Muhammadan clerks appointed temporarily.	Number of Non-Muhammadan clerks appointed temporarily.
<i>Civil Surgeon's Office—concld.</i>				
4. Bogra .. ..	..	..	2	3
5. Burdwan .. ..	..	..	..	4
6. Chittagong .. ..	..	..	..	1
7. Dacca .. ..	..	..	..	5
8. Darjeeling .. ..	..	1	..	4
9. Dinajpur .. ..	1	..	2	4
10. Chittagong Hill Tracts .. ..	..	..	1	1
11. Faridpur .. ..	..	..	4	4
12. Hooghly .. ..	..	..	..	3
13. Howrah .. ..	2	..	..	..
14. Jalpaiguri .. ..	1	..	1	6
15. Jessore .. ..	..	..	..	..
16. Khulna .. ..	..	1	..	7
17. Malda .. ..	1	..	2	5
18. Midnapore .. ..	1	5	..	5
19. Murshidabad .. ..	1	..	2	..
20. Mymensingh .. ..	..	1	1	..
21. Nadia .. ..	1	..	1	1
22. Noakhali .. ..	..	1	1	3
23. Pabna .. ..	..	1	1	6
24. Rajshahi .. ..	..	1	..	2
25. Rangpur .. ..	..	1	6	2
26. Tippera .. ..	..	..	1	1
27. 24 Parganas .. ..	..	1	1	2
28. Serampore .. ..	..	1	..	..

**Adjournment motion.**

**Mr. SYEQ JALALUDDIN HASHEMY:** I beg leave to move an adjournment motion to discuss a definite matter of urgent public importance—.

**Mr. SPEAKER:** May I have a copy of your adjournment motion? (A copy of the motion was handed over to the Speaker).

**Mr. SPEAKER:** Mr. Hashemy, I propose to take up and discuss this matter with the Hon'ble the Home Minister, and yourself at 6-30 p.m. to-day to see whether it is in order. I propose now to proceed with the demand under the head "7—Land Revenue."

**Short-notice question.**

**Mr. SURENDRA NATH BISWAS:** May I enquire, Sir, about the short-notice question of which I have given notice?

**Mr. SPEAKER:** I may say that it is not the function of the Speaker to answer about the fate of short-notice questions from day to day. You can always take it that usual steps have been taken but I must warn you that the number of and the manner in which short-notice questions are given are such that it has become impossible for this department to tackle them. In any case, we are trying to send them on to the departments concerned, and as soon as a reply is received, it is placed on the member's table.

## THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

**DEMAND FOR GRANT.****Part II.****7—Land Revenue.**

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 36,12,000 be granted for expenditure under the head "7—Land Revenue."

The Land Revenue Budget of a Province, the major portion of which is permanently settled, does not lend itself to sensational changes or

fluctuations. This is mainly due to the fact that five-sevenths of the area is permanently settled or the demand from this area is based on a settlement which is in existence for a large number of years.

The total land revenue receipts from 1933-34 onwards were as follows:—

	Rs.
1933-34	... 3,21,14,000
1934-35	... 3,43,85,000
1935-36	... 3,43,29,000
1936-37 (revised)	... 3,45,48,000
1937-38	... 3,51,85,000

It will be seen that in the year 1935-36 as compared with 1933-34 there was a drop and then there was a slight rise in 1935-36 and next year we expect an increase by about Rs. 3,37,000.

The fixed collections mentioned in the Red Book are from the permanently-settled estates about 94,000 in number. Besides there are temporarily-settled estates, settled for a varying number of years some 40 years, some 99 years and some for shorter periods. Collections from Government estates, estates leased to farmers and temporarily-settled private estates are made directly by Government. That is the next important item.

Collections from these sources generally depend on the ability of the tenants to pay and naturally fluctuate with the price of agricultural produce. This explains the variations under this head from 1933-34 onwards:—

	Rs.
1933-34	... 69,70,000
1934-35	... 85,20,000
1935-36	... 93,48,000
1936-37	... 92,00,000
1937-38	... 92,00,000

The next important item of receipts in the budget is survey and settlement operations. This year we expect a receipt of Rs. 22,00,000 as against Rs. 12,00,000 last year and that is because settlement operations in the districts of Dinajpur, Hooghly and Rangpur are drawing to a close and the money advanced by Government is going to be realised. These settlement operations as the House may be aware are generally carried on in sections and according to the final publication the realisations are taken up. The survey and settlement costs due from landlords and tenants in the district of Hooghly, Rangpur

and Dinajpur are Rs. 1-14, 1-8 and 1-9 per acre, respectively. As against the estimated land revenue receipt at Rs. 3,51,85,000, the estimated expenditure is Rs. 37,70,000 which works out the cost of management at 10·7 per cent. of the total collection. This compares very favourably with the overhead charges and establishment cost of some of the important commercial concerns in the city which vary between 35·8 and 61·3 per cent. So, Government is very careful in their expenditure on establishments and the result is that we have been able to keep down the overhead charges to nearly 10 per cent.

The Government estates in the khas mahals cover an area of 5,700 square miles and the total number of estates is about 3,954. The management of Government estates falls under collection of revenue, outlay on improvements, rates, capital expenditure on colonisation, etc. The estimate under collection of revenue is put down at Rs. 6,88,000 which works out to 9·8 per cent. of the current demand of Rs. 70,26,000. The outlay on improvements for the benefit of the khas mahal tenants falls under different heads, viz., drainage, irrigation, embankments, tanks and wells for drinking water, repairs of roads and bridges, clearance of jungles, agricultural improvements and huts and markets. There is a further provision of Rs. 1,50,000 for the removal of insect pests in Bakerganj district and it is expected that by keeping the area water free and doing away with insect pests, Government may succeed in helping an increased yield in this area of over 25 per cent. The capital expenditure on colonisation is estimated at Rs. 1,17,000 as against the revised estimate of Rs. 1,65,000 of previous year. In the amount provided is included a sum of Rs. 62,000 for agricultural improvements and Rs. 12,000 for sanitary improvements, the work of colonisation to which these estimates relate being in the Bakerganj and 24-Parganas, Sunderbans and the Chakaria forests in the district of Chittagong. The colonisation in the Sunderbans is made on the ryotari basis, that is, with the actual cultivators. Up to the end of 1936-37 an area of 162 square miles had been cleared and improvement at a cost of over Rs. 26,00,000 made. A larger number of embankments and sluice gates have been provided, sweet-water tanks have been excavated huts, markets, schools and dispensaries have been provided at suitable places at Government expense. There are at present 97 schools with over 2,684 students. In the colonisation area of Baderkhali-Ghona in Chakaria forests in Chittagong, a number of improvements on a co-operative basis was introduced for settlement with the landless labour class. The area was divided into three blocks of which the first two blocks have been completely improved and the third is in hand. It may be interesting to note that over 100 bigas of land in the 24-Parganas were settled with *bhadralok* agriculturists and five young men of *bhadralok* class were given lands from khas mahals in Faridpur district. In Chittagong, over 76 acres of land has been settled with a graduate *bhadralok* detenu for cultivation by him,

and in Malda 180 bighas of land has been settled with a Muhammadan graduate on condition that he would farm the land himself.

The next important item of expenditure is survey and settlement operations. There was a provision of about Rs. 19,000 for revisional settlement in the district of Faridpur, but as Government have not yet arrived at a final decision on the question of starting revisional settlement after a period of 26 or 27 years, Government decided to drop the proposed operation. The only district where they propose to take up revisional settlement this year is the district of Midnapore, and the main reason why Government propose to do so is that when settlement operations were carried on in this district, it was done without the system of Gujava or field to field survey, and the result was that the records were not so accurate as in those areas where the survey was done under the Gujava system. The land revenue revisional settlement in the district of Midnapore covering about 600 square miles shows that there was a great inclination on the part of the tenants in this area to bring about a settlement of a large number of land disputes and Government thought that a revisional settlement in the district would give further opportunities to the owners of landed interests in the permanently-settled areas to bring about a settlement of land disputes in that area too. The total demand for major operations of survey and settlement is Rs. 14,08,000 and minor settlement operations, 3,28,000. In a question put in this House it was alleged that the rate of enhancement following settlement operations was very high. For the information of the House I may just mention that in the case of raiyatari rents, the rate of enhancement was one anna and 11 pies in the rupee and in the case of tenure rents 5 annas 10 pies in the rupee. So the rate cannot be considered to be very high. In this connection I may further observe that Government have come to a decision with regard to the cases that had been already disposed of and cases which are in connection with tenants of estates under the Court of Wards where a decision has already been given. Government will review those cases and the Court of Wards as landlord will try to give relief to the tenants by reducing the rate of enhancement from what has been decreed in cases under section 105. The cost of survey and settlement operations worked out in 1910 at Rs. 1-11-8 per acre and in spite of an increase in the cost of living and increase in the pay of staff the cost at present works out at Rs. 1-15 per acre so Government have tried to keep down the cost as much as possible. Land improvement loan to the extent of Rs. 1,86,000 was advanced last year in the district of 24 Parganas, Burdwan, Bankura and Hooghly and this amount was mostly spent in excavating tanks, re-excavating irrigation bunds and canals and in sinking tube wells or irrigating paddy fields.

The agricultural loan to the extent of Rs. 37,00,000 was distributed in the year 1936-37 to the owners and occupiers of arable lands for the

relief of distress. It may be interesting to note that during the famine relief operations in 1936 and 1937, 33 bunds were re-excavated, 192 miles of road were improved and 103 miles of road were retmetalled in the district of Bankura whereas 102 tanks and five protective bunds were re-excavated by arrangement with the owners and 268 miles of road reconstructed and repaired in the district of Birbhum. Works of famine relief in the district of Hooghly consisting of repairs and improvement to 7½ miles of kucha road and re-excavation of a tank in the Sadar subdivision. Similarly, 64 old tanks were re-excavated, 26 roads were repaired and 88 miles of road were reconstructed in the district of Murshidabad. Similarly, famine works were done in the district of 24 Parganas, Burdwan, Jessore and Nadia.

I may mention in this connection that Government have decided to introduce a Bill to amend the Bengal Tenancy Act in this Session of the Assembly. The Bill provides for complete abolition of landlords transfer-fee, his right of pre-emption, abolition of section 158A of the Bengal Tenancy Act and proposes to offer facilities for mutation of holdings under section 188. There is a provision against the realisation of abwabs and also to prevent, realisation of rents for lands under dilluvion under section 186A. These are the general outlines of the Bill besides several other things. There is also a proposal to confer occupancy-rights on the under-raiyats. Government also propose to suspend enhancement of rents till the Commission which they propose to appoint submit their report. This Bill is meant for removing some of the urgent grievances of the tenants. With regard to the wider question, viz., a complete change in the land-tenure system of the province and to enquire into the working of the permanent settlement, it is the idea of Government to appoint an impartial and independent committee or commissions of enquiry consisting of experts, landlords' representatives, tenants' representatives and persons of high judicial experience. Sir, the Commission is expected to go into the question of the working of the Permanent Settlement, its effect on the economics of the province, on the social structure of the province, and on the financial position of Government. If it is decided to abolish the Permanent Settlement and see whether it is possible financially and politically to make a state purchase of the higher interest in land and if it is decided to do away with the zemindari system what system can be substituted in its place. These are the general outlines of the Terms of Reference which Government propose to suggest for the proposed Commission of Enquiry and there is a demand of Rs. 50 thousand in the Miscellaneous Budget and probably in that connection there will be a discussion when I may have an opportunity of placing fuller facts before the House for its consideration. This is generally the scheme of this Commission and the Government proposal. With these few words. Sir, I beg to move the motion which stands in my name.

**Mr. SPEAKER:** As Mr. Tamizuddin Khan is not present I think it will be only fair if I call the next member in that group, Maulvi Abdul Bari to move his resolution, which also covers Nos. 171, 183 and 185.

**Maulvi ABDUL BARI:** Sir, I beg to move that the demand of Rs. 36,12,000 under the head Land Revenue be reduced by Rs. 100.

Sir, before I submit a few words in support of my motion for the reduction of the demand made by the Hon'ble the Revenue Minister by Rs. 100 I owe it to myself, to my constituency and to my friends on this side of the House—and I believe to all my friends—to offer a word of congratulation to the Hon'ble the Revenue Minister on the historic announcement that he has made to-day on the floor of the House. Sir, that announcement will be a landmark on the position of the tenantry of Bengal. It is well-known that for years past the tenants of Bengal were groaning under the burden of the law of pre-emption, the law of transfer fee and all those things which were thrust on the unwilling heads of the tenantry of Bengal by Government in 1928 in an unholy alliance which was made by the Zemindars with the Congress group and therefore after the announcement I think it will not lie in the mouth not only of myself, nor in the mouth of my friends of the Krishak-Praja Party nor even the Congress to say that the Bengal Government is not going to do anything to relieve the distress and to better the conditions of the people of Bengal. I am sure that the announcement which has been made on the floor of this House by the Hon'ble Revenue Minister is an announcement which can hardly be competed with by any other province in the whole of India—be it Congress province or any other.

Sir, in regard to the motion that I have tabled to-day before the House I only beg to say that so far as the settlement operations are concerned I would only draw the attention of the Hon'ble Revenue Minister to the state of things which prevails in the districts of Bengal as a result of the settlement operations that are going on in different districts. The public do not know as to why these settlement operations have been thrust upon them the ways and policy of the Government also seem to be inscrutable in this matter. The settlement operations are not required, are not demanded or desired by the people of Bengal, neither do I understand if the Zemindars also do require it. Still it is thrust upon them for what benefit it is for the Government to judge. But I submit, Sir, that when it is not the demand of the people, it is not the demand of the Zemindars, what necessity is there for Government to introduce these settlement operations at a time when the people of Bengal are not getting even two morsels of food to eat and are not getting raiment to clothe their children.

Sir, so far as the settlement operations are concerned, they involve a heavy cost which is a drain not only upon the purse of the Government itself but also upon the money of the tenants themselves, because the tenants have got to pay the cost of the settlement operations as we know when the district settlement operations are taken up the tenants are made to pay one-third of the total cost that was incurred by the Government in that behalf. Sir, we can understand that the Government may have some reasons in introducing these district settlement operations because they may say that unless settlement records are prepared it will not be possible to demarcate their lands properly, it will not be possible for Government to adjust the conditions prevailing between the tenants and the Government. Therefore it may be argued by Government that district settlement operations are a necessity but so long as the district settlement operations were required that might have been a necessity, but where is the necessity for the revisional settlement, where is the necessity for the maintenance of settlement operations, where is the necessity for the major and minor operations that are going on in the districts of Dinajpur and Rangpur and, as just now said by the Hon'ble Revenue Minister, which are going to be taken up soon in the district of Midnapore. Therefore I say that the action taken by Government in introducing the settlement operations in those districts is not at all warranted and that the Government is actually making the people to swallow a bitter pill which they are reluctant to swallow. Moreover, Sir, I would submit, that those who live in mofussil know very well that the settlement operations cause too much harassment to the people. There are several stages involved and the troops of Amins—they are just like military troops who are forced to be fed and maintained by the people of the district through which they pass—these Amins also are sometimes to be fed by the people of the village in which they choose to remain. I may also tell the House that their activities are also sometimes questionable because they have got to live at the house of a particular man and naturally their leanings will be towards that particular man, his relatives and his neighbours and thereby corruption is also introduced in the system.

Sir, I would further submit that there are several stages of settlement operations. Once they are undertaken they may take even 5 to 7 years to complete and one can easily imagine how much people have got to spend in looking after these operations, for unless they are watchful they may find all their rights and privileges which existed in the land have gone over to some others and to recover which they might have to get into a series of litigation. For these reasons also I submit that settlement operations in districts are not at all required.

Sir, the Hon'ble Revenue Minister has said that certain kind of settlement operation is going on in the district of Murshidabad. In the district of Murshidabad settlement operations were completed in

the year 1922, but we hear again that these operation are going on in that district and in the thanas of Raninagar, Domkal, and Jalangi. It is also reported that when the people who are surveying these lands are questioned as to the reason why they have come, they maintain a stoic silence over the matter. We expect that a statement will be made by the Hon'ble Revenue Minister as to why these operations are going on, as to who these people are and why they do not tell the people whose lands are being surveyed. Then again, Sir, there is another thing which I want to tell the House, namely, that the result of these operations involve the people in serious litigations that crop up as a result of proceedings under section 105 and section 106 of the Bengal Tenancy Act. It is well-known to the members of this House that whenever a settlement operation is undertaken invariably the Zemindars institute cases under section 105 for enhancement of rent thereof and in fact there is no case in which some sort of enhancement is not granted to the Zemindars. I would submit, Sir, that the tenants of Bengal are already rack-rented and they cannot any longer bear the burden of the heavy rent with which they have been assessed, and after all these if the enhancement goes on every 15 years it will be impossible for the tenantry of Bengal to live long and to maintain their existence. I would also submit that the result of taking of proceedings under section 105 does not end there but it goes on appeal to the District Judge's Court and it goes up to the Hon'ble High Court as is known to the members of the Hon'ble High Court who are also sitting here—

**Mr. SARAT CHANDRA BOSE:** May I know, Sir, who are the members of the Hon'ble High Court?

**Maulvi ABDUL BARI:** Mr. Sarat Chandra Bose, the leader of the Congress Group, is a Counsel who belongs to the High Court and who practises in the High Court. I know there is a ruling of the late Sir Ashutosh Mukherji in which Advocates, Pleaders and Counsel have been classed as members of the Government.

**Mr. SPEAKER:** Mr. Bari, I hope you are not confusing between officers of Court and officers of Government.

**Maulvi ABDUL BARI:** Then, Sir, the Hon'ble Revenue Minister referred to the settlement operations that are going on in the district of Midnapore. So far as the district of Midnapore is concerned, of course we are not aware what is going on there, but just before we were entering the Chamber a leaflet was being distributed to the members of the Legislature and from a perusal of that leaflet we find that protests have been made by the people of Midnapore against the settlement operations in that district.

In that leaflet we find that district settlement operations were taken up in the district of Midnapore in the year 1910 and now Government propose to continue revisional settlement operations in that district which commenced from the year 1933. In that leaflet we also find that in the present budget Government have also provided for a sum of Rs. 2,10,000 to carry on the settlement operations in the district of Midnapore. Now when a protest has been made by the people of Bengal and the zemindars of Midnapore do not want the settlement operation, what is the necessity to incur such a heavy cost of Rs. 2,10,000 in getting the revisional settlement done there which is not required at Midnapore. Therefore on that ground too I would submit that, just as a measure of disapproval of the action of Government in taking up the settlement operations, the demand made by the Hon'ble Revenue Minister be reduced by Rs. 100.

**Mr. ABDULLA AL-MAHMOOD:** Sir, while supporting the motion of Mr. Abdul Bari, I do not like to inflict a long speech on the House, but would say a few words about the pernicious method of the settlement operations. We know that arguments are often advanced that settlements operations are undertaken for the purpose of providing the tenantry of Bengal with some documents in regard to lands they possess. Hitherto, these tenants it is suggested, had no documents of their own except that they had to depend upon the chita and paithas of the landlords, but we see that these documents which the Government propose to give to the tenants are of no help and are practically useless. From the very beginning when the settlement operations are undertaken a sort of questionable affair goes on from top to bottom. We see from sections 101 to 109 of the Bengal Tenancy Act that at every stage there are difficulties and there are various ways by which the money of the poor tenants are drained.

Next, Sir, I beg to submit that at the final stage of settlements, that is to say, when the record of rights are prepared a sort of abuse is practically practised in its preparation. As a result of this, innumerable suits crop up and these are filed in the civil courts. It is found that the tenants sometimes fight amongst themselves and these documents, namely, the chitas and paithas, are again called for in order to prove their respective claims. So I say that these operations cause a drainage of the resources of the Government as well as of the tenants. But only they may prove some advantage to the landlords, as immense power is vested under 105 of the Bengal Tenancy Act. With these words I support the motion of Mr. Abdul Bari.

**Babu NACENDRA NATH SEN:** While I wholeheartedly support Mr. Abdul Bari as regards the nature of the operations which are carried on when settlement is undertaken in a district, I beg to disagree with

him as regards utility of these operations. I have heard it always said that the finally published record of rights is a sort of Magna Charta to the poor tenants in this country of ours. There was formerly no law of registration and grants of land were frequently made without any written documents; the tenants did not possess any documents by which they could assert their rights to any tract of land. The salutary provisions of Chapter X of the Bengal Tenancy Act have to a large extent removed that difficulty. I agree with Mr. Bari when he says that after the settlement operations had been carried on and the records-of-rights are finally published, there crop up a large number of litigations under 105 and 106 but that is not due to the settlement operations but that is due to the existence of sections 105 and 106 on the statute book. There is already a proposal for the abolition of the right of lands for enhancement of rent; and if that is effected there can possibly be no objection to the inauguration of the settlement operations under Chapter X in areas where they were never undertaken. From my experience I can say that the system of land tenure is very intricate in the district of Bakarganj. After the final publication of the settlement records-of-rights in that district and some time after in 1907 or thereabouts, although there cropped up a large number of suits under sections 105 and 106, ultimately it was found that the settlement records were looked upon as a settler of all disputes between the landlords and tenants. After the final publication of the settlement records four or five munsiffs' courts were withdrawn from the district of Bakarganj as there was no necessity any longer of these courts.

Sir, I wholeheartedly agree with Mr. Abdul Bari when he described the cost of the settlement operation. It is well-known that in every district the estimates for the realisation of the settlement costs from the tenants and various grades of landlords are often overdrawn and in every district there always remain a surplus at least of 33 per cent. after all the expenses have been met. Government have not yet said what they do with that surplus. In the leaflet I have got, as regards Midnapore it is stated that in 1907 and 1918-19 the cost of the settlement was charged at 40½ annas per acre as against Re. 1-15 which had been charged for khas mahal tenants. In that matter an explanation is due from the Hon'ble Revenue Minister as to why was it that in 1917-18 the cost amounted to 10½ annas per acre and why all of a sudden in recent years the cost has trebled to Re.1-15. In this connection the Hon'ble Revenue Minister will be pleased to give us an explanation as to why after an experience of the settlement operations in a large number of districts extending over a quarter of a century the estimates are still very high. As regards the realisation, he should state whether there should not be any standard for reducing the ultimate expenses involved in these cases. Then, as regards the inclination of the amins and guzarah officers towards those persons in whose houses they live is a matter which can be rectified and remedied after proper enquiry.

Mr. Abdul Bari seems to think that the settlement operations are not beneficial to the interests of the tenants, but I think he would be better informed if he studied the history of the settlement operations in all districts in which they had been previously undertaken. From my own experience of Khulna and the neighbouring districts of Jessore, Bakarganj and Faridpur I can very well say that the settlement operations have been of incalculable value to the tenantry. They now know what lands they possess and their own title and rights to the pieces of land which they hold. So Mr. Abdul Bari cannot say that these settlement operations should be done away with. The question is whether the actual cost of the operations cannot be reduced, whether of the cost of realisation as regards the proportion of the tenants and several grades of landlords cannot be revised and the tenants' portion should not be less than what it is charged by the Revenue Department. That is a matter which is open to enquiry. Then, the further question remains as to whether there is a provision for enhancement of reduction of rent, whether recourses to sections 105 and 106 are cheaper, speedier and more economical than the cost of litigation in the civil courts, in respect of cases arising under those sections, both the tenants and the landlords have the right of appeal to the district courts and of taking these appeals before the Hon'ble High Court. Therefore the apprehension of Mr. Abdul Bari as regards the undue advantage to the landlord or the disadvantage to the tenantry vanishes. So, while I agree with Mr. Abdul Bari that the cost of the settlement operations should be reduced, I think that there should be a better provision for the housing of settlement amins in order that they may not be influenced by the persons in whose houses they live and I think that these matters should be investigated. I cannot, however, agree with Mr. Bari that these settlement operations are not wanted either by the landlords or by the tenants.

At this stage the Assembly was adjourned for 15 minutes.

*(After adjournment.)*

**Kazi EMDADUL HAQUE:** Mr. Speaker, Sir, we on this side of the House also are not in favour of settlement operations which Government has under contemplation. Mr. Abdul Bari has shown beyond doubt that it is not only not essential from the point of view of the tenants or from the point of view of the landlords, it is also not essential from the point of view of Government, and, therefore, it is absolutely unnecessary. Though I thank Mr. Abdul Bari for bringing in such a motion, yet I must say that whatever his views might be on the subject, his is a cry in the wilderness, and he will soon be disillusioned to know that the Government is not going to accept our suggestions in

this matter. It is said, Sir, that the preparation of record-of-rights, as a result of settlement operations, is a beneficial measure for the tenants at large. If that is really the view of Government, we would have lent our support to the proposal had it not burdened the tenantry at large with the huge expenditure that it involves. The settlement operations involve huge expenditure, which ultimately falls on the shoulders of the tenantry at large. These operations have numerous stages, and in each stage the cultivating tenant is harassed beyond any reason in every matter. In the initial stage *amins* like hordes of locusts prey upon the cultivators. They make the acquaintance of the cultivators in the fields, and for this purpose they give notice in their own peculiar way. They do not care whether the notices actually reach the tenants or not. They are only concerned with the fact whether the tenants present themselves at the time of the operations. The tenants are illiterate; they do not keep any information on ~~what~~ particular day their land is going to be surveyed by the *amins*. A general notice is only given in some conspicuous place—perhaps in the offices of the District Officer, or the Subdivisional Officer, or in the office of the President of the Union Board, or at the thana office. From these notices, of course, we cannot expect that our cultivators, ignorant as they are, would go to these offices and keep information as to on what particular day the *amins* require them. It sometimes happens, Sir, that although the tenants are there on the fixed date, the *amins* do not measure their land on that day and they come away without knowing on what particular day their land will be measured, and they do not get any notice for the second time. In this way the tenants are harassed and for each day of non-attendance the tenants are penalised. They have to go a long distance to the *halqa* to show reason why they could not present themselves on a particular date, and even if they show reasonable cause for their absence still they cannot avoid the penalty, so that when these operations go on much injustice is done to the tenants. The *amins* generally take shelter in the houses of influential men in the villages and at the instance of these influential people they perform their work. Therefore, whoever can satisfy these *amins* privately and can fill their pockets he alone can expect to get justice at their hands; otherwise not. Then, again, even after these operations are finished, much litigation ensues. They have to appear before the Settlement Officers under sections 105, 106, etc., and they have to attend those offices which are generally situated at a great distance from their homes, and at great expense. Now, Sir, in view of this acute distress prevailing in the country, is it desirable on the part of Government to go on with these operations? Whether it is proper of Government to look to the welfare of the tenants and to see, as a matter of fact, whether they are getting on well, or whether it is the business of Government to carry on operations no matter whether the tenants can afford to pay the cost of the settlement operations—this is the question, Sir, that I ask. As regards the question of recovery of cost, the Hon'ble Minister has given

us hope that the tenants will get sufficient time for that; but, Sir, our experience is that they do not get sufficient time. At present the cultivators are in a very bad predicament; they have not got even a pice to spend. They are not in a position to do that. In view of these facts, that the tenants in their millions are starving, I think, Sir, the settlement operations might wait without any detriment to any of the interests concerned. My friend Mr. Abdul Bari has shown that these settlement operations are unnecessary. Even if however Government think that it is at all necessary, then, of course, it can wait till the return of normal times. After the much-talked-of amendment of the Bengal Tenancy Act has become a law and after the new Act has improved the prospects of the cultivating tenants, let them undertake these operations then and not till then. So, my submission is that neither revisional settlements nor any kind of settlement whatsoever is the thing that is wanted now. All these things should be put off till the cultivators are placed in a better condition. With these few words, Sir, I give my wholehearted support to the motion of Maulvi Abdul Bari.

**Dr. GOBINDA CHANDRA BHAWMIK:** Sir, our Revenue Minister has demanded Rs. 2,10,000 for revisional settlements this year in Midnapore. Government has already commenced settlement operations in the khas mahals along with Bahali and Nispy land. In 1933, this work had been finished and recoveries had been realised, and people have paid their demands in spite of heavy odds. As you know, Sir, Midnapore is a very big paddy district, and year before last, owing to scarcity and failure of crops, in many portions of the district—particularly in Satahata—relief operations were necessary. From Calcutta the Marwari Relief Society commenced relief operations and Government also gave a loan of Rs. 60,000; this loan has however been realised this year. So that people have made full payments for settlement operations in khas mahal lands. After this repayment of the loan and the settlement dues they find themselves in a straitened condition, which is daily going from bad to worse. They cannot get even two meals a day. They are in a most pitiable plight, for they cannot get their loans for the establishment of the Debt Settlement Boards. In 1917-18 there were settlement operations in Midnapore in which we find that per acre the expenditure realised from the parties was annas 10-6 pies whereas this year Government realised as much as Rs. 1-15 per acre. So, there is a big difference, in spite of the fact that at that time, viz., in 1917-18, paddy was sold at a much higher rate than it is now. But now the cultivators are bound to pay a greater cost even with the prices of paddy being so much reduced. From the beginning of 1930 up to this time, there has been no recovery from the general economic depression. People are not able to maintain themselves. They cannot get even two meals a day; they cannot make their

both ends meet. Such is their condition, Sir. People of the district do not want any kind of settlement operations whatsoever—neither the cultivators, nor the landlords. And nobody likes it, but still Government is going to thrust it upon them. We, on behalf of these cultivators, beg that this course should not be taken. There is already a record-of-rights which has been corrected at great cost, and there is no reason why it should be corrected again this year. Everybody concerned knows, Sir, what settlement operations mean. People have to pay heavily for them. Mr. Abdul Bari has given a very graphic description of these settlement operations. It cannot be denied that the *amins* realise money in various ways, and by putting people to various sorts of harassment. Even after the dues have been paid by the tenants, they get involved in litigation. Such is their fate! After a long struggle people have come to the normal condition; so what is the necessity of a fresh revisional survey? I appeal to this House in the name of the people who are most distressed to remember that the tenants and the cultivators do not at all require any settlement operations. I hope, therefore, that the Hon'ble Minister will be pleased to omit this item from his budget so that the amount can be utilized to better purposes without giving trouble to the people. Otherwise, this will prove to be another oppression. We are already subjected to various sorts of oppression in our district. We know what Government is and what Government wants. If Government wants revisional operations after 1937, I hope that it won't follow the old methods.

As regards the practical value of these operations, I might say that had there not been any settlement whatever in 1917, i.e., 20 years before, we would have no objection now. So, we do not want any further settlement operations now. Further, if there be settlement operations carried on in spite of the people's protest, what will be the effect? Some zemindars will take advantage of section 105 in spite of the prevailing economic depression. They will try to realise more rents under the Bengal Tenancy Act in the case of *sthithiban* or occupancy raiyats. Therefore, I pray that if there be any revision of the Bengal Tenancy Act in the near future, if there is any such demand on the part of the people, then Government may press the matter again, i.e., when the people's condition may have improved. So, I hope the Hon'ble Minister will not thrust this engine of oppression on us, as we hope this will prove to be in our present state. And I hope that the Hon'ble Minister will give us an assurance that he will be good enough to omit this revisional operation from his programme.

With these few words, Sir, I support the motion of my honourable friend Maulvi Abdul Bari.

**Maulvi ABUL HASHIM:** I entirely agree with my friend from Midnapore with regard to his remarks about revisional settlement there. I believe while Mr. Sen was arguing in favour of settlement

he had in his mind the district settlement operations. We feel that there is no necessity of revisional settlement. We do not want revisional settlement. It is a thing of luxury at the present moment. Bengal cannot afford to have it when Bengal needs more money for many other things such as primary education and money for the beneficiary departments. As the district settlement operations are over in Bengal and in every district the record of rights is complete, there is no use going for a revisional settlement. Tenants will have to pay 87½ per cent. of the total cost with interest. If we stop the revisional settlement in Midnapore that will mean curtailment of the settlement staff to a very great extent. We have every sympathy with those who may be thrown out of employment, but our sympathy for the tenants should be greater, and we must stop this revisional settlement which is something like a luxury. I think this will also save the cost of maintaining the office of the Director of Land Records. We propose therefore that now that the record-of-rights is complete in every district there should be no revisional settlement. The money that will be thus saved can be utilised in other ways.

**Kumar SHIB SHEKHARESWAR ROY:** The statement made by the Hon'ble Revenue Minister regarding the proposed amendment of the Bengal Tenancy Act which wants to abolish the *salami* on transfer undoubtedly strikes a staggering blow to the inherent right of the landlords to the ownership of land. I could never think that a responsible Government would so lightly deal with a serious matter like this. And the pity of the thing is that a representative of the landed interests should have been a party to it. This decision has been evidently forced by the Moslem coalition (cries of "no," "no") and though I congratulate the coalition—

**Maulvi TAMIZUDDIN KHAN:** Sir, in this motion are we discussing the general demand or the amendment?

**Mr. SPEAKER:** As a matter of fact when an amendment is moved not only the amendment is under discussion but the general demand can also be touched upon in that connection. Mr. Abdul Bari is just as entitled to congratulate the Hon'ble Minister on his action as Kumar Shib Shekhareswar Roy to condemn him.

**Kumar SHIB SHEKHARESWAR ROY:** Sir, though I congratulate the coalition on its dictatorial control over the Ministry, I cannot but view with horror and dismay at the trend of things in Bengal. The majority community is riding roughshod over the rights of minorities. What strikes me as extraordinary is that the Ministry consulted only the Moslem coalitionists (Question) and ignored other

sections of the House including the Europeans, before they came to a decision about it.

In this connection I shall be failing in my duty if I do not explain the position of the landholders. To deprive the landholders of their share of *salami* will be an encroachment of a serious nature on the right of ownership of the landholders. Before the passing of the amendment of the Bengal Tenancy Act in 1928, the highest courts of the land held that the tenant had no right of transfer and that such transfers amounted to the abandonment of the holding. Transfers were an unknown thing even about 30 years ago. The landholders sternly refused to recognise the transfer of a holding to a non-agriculturist. Then gradually the lure of *salami* offered by the purchasers tempted some of the landholders to recognise such transfer on payment of a heavy premium. There was however no regular rate for such *salami*. Big landholders, however, could not afford to haggle over every case of *salami*: so gradually some of them fixed a regular scale of fees for the guidance of the parties and their own staff. The Bengal Tenancy Act Amendment Committee which sat for over two years very carefully considered the situation and following the growing custom in the matter recommended a legal sanction for such transfers. The Committee was fully conscious of the fact that a serious encroachment was being made on the right of the landholders and made provisions which very materially safeguarded the rights of the landholders. The Committee consisted of representatives of landholders and tenants, eminent lawyers and experienced settlement officers of the Government with the late Sir John Kerr as its chairman (cries of "exploiters"). I do not know who the exploiters are. Now, Sir, the recommendations of the Committee were passed into law in 1938 after very careful consideration by the Legislature. It is hardly fair to reopen the question so soon and take away not only a vested right but also an income of about  $\frac{1}{2}$  crore of rupees by a show of arbitrary will.

The Hon'ble Mr. Fazlul Huq declared the other day on the floor of the House that he did not recognise the Governor and that he will carry everything before him with the help of his coalition party. That was a very bold statement. But he is very much mistaken if he thinks that he has been licensed to ride roughshod over our rights. He forgets that to safeguard the interests of his community, a majority community in Bengal, he had to secure a special electorate for them. He wants to rule us in the name of democracy when he was afraid of a common electorate. Let him and his party beware that any act of injustice done to the minority will shake the very foundation of the constitution. With regard to us the Governor have very substantial power reserved to him. In our case at least he cannot ignore the Governor and if justice fails us here, let him and his party bear in mind that their actions are bound to be reconsidered in all their aspects by the superior authority both here and in England.

**Khan Bahadur HASHEM ALI KWAN:** I had no mind to take part in the discussion of Maulvi Abdul Bari's motion; but after the very lengthy and written speech of Kumar Shibshekhareswar Ray casting aspersions on the coalition Muslim group and on those persons of the other group, who welcomed the very benevolent utterance and the significant statement which the Hon'ble the Revenue Minister made on the floor of this House to safeguard the rights of the highly exploited poor tenantry of Bengal, I thought that that utterance would fall like a bombshell on the landlords of Bengal. If you go into the history of the landlords of Bengal, you will find that they had no right over the land of the country. They were merely appointed as collectors and officers by the East India Company. They collected the rent and were entitled to 10 or 20 per cent. as collection charges which came to about Rs. 3 crores. But they now claim Rs. 17 or Rs. 18 crores; they also realise various other things from the poor tenants of Bengal. What have they done for the improvement of the land? Have they done anything and have they spent a single *corree* for the poor tenants of Bengal, while at the same time every 15 years the laws of the land were revised and by whom? by the landlords themselves and other interested people posing as representatives of the tenantry in the then Council. They passed the Bengal Tenancy Act in their own interest, and they did not care for the poor peasants. They exploited the poor peasantry of Bengal for 100 years, but I think they have now awakened and are able to look after their own interest and the present Cabinet is trying to do nothing but mere justice. Kumar Shib Shekhareswar Ray knows that in the year 1928 when the Bengal Tenancy Act was referred to a Select Committee (he was a member of that Committee) what part was played by the zemindars in that Committee and how it was passed in that House and how many of the Congressmen who now declare to be the friends of the people and representatives of the people joined hands with the poor peasantry of Bengal. They also joined hands with the zemindars and passed the Bengal Tenancy (Amendment) Bill of 1928.

Sir, through you I want to say one thing to the Bengal zemindars that the time is not far off when their very existence will be found difficult to maintain. What they are doing to the tenants? They are taking the money of the tenants who are toiling in villages and are spending it in big cities miles and miles away and in motor cars. They are not curtailing their luxuries an inch and they are doing nothing for the improvement of the poor peasantry. And, Sir, now they come and say that their vested interests are being affected by the statement made by the Hon'ble Revenue Minister. The statement of the Hon'ble Minister removes some of the grievances of the tenantry but we want more: we do not expect to get more within this Session, but time will come when we will get all we want and the existence of the landlords will be removed within a short time (hear, hear).

As for the motion, Sir, regarding settlement operations, I want to say about the khas mahal area in my district—the district of Bakarganj. I think most of the members of this House is aware that survey and settlement operations take place in khas mahal every 15 years which lead to an enhancement of rent by 8 annas per rupee which is most horrible. The Hon'ble the Chief Minister is aware that the khas mahal area in the district of Bakarganj is comprised of two kinds, namely, the Char area and the Sunderbans area. The Char area is formed of big lands in the Bay of Bengal and the Sunderbans area which, as is well known, is full of jungle and abounds with Royal Bengal tigers. The poor people who have no land cut the jungles in that area and make it fit for habitation. Still, Sir, every 15 years after the rent is increased and over and above that the Government of Bengal passed a new Act declaring the Aracanese and the Burmese who live in that area as aboriginal tribes. As for the Char area lands, these are settled in the winter season when the river recedes and as soon as the month of April or March comes the area is submerged in water—in some place knee-deep and in some place 10 feet in water—which cannot be brought under cultivation, and the people have no land to live on and no house to dwell during that period. This state of things lasts for 10 or 15 years till another settlement comes and they have to pay rent and purchase land. This sort of fraud, this sort of deception is being perpetrated on the poor tenants in the collection of rent. I can cite one example in this connection. Only last year a Sub-Deputy Collector has been appointed as Assistant Khas Mahal Officer because the previous Khas Mahal Officer was an old man and would check extortion of money from the tenants. This Special Officer uses all sorts of vile means of oppression on the tenants for realising rent, and the people are panic-stricken. If this thing goes on the Khas Mahal will collapse at least in the district of Bakarganj within a very short time. I do not know what attitude the Government is taking in this matter. Settlement operations should be stopped at least till better conditions come back.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Sir, Mr. Abdul Bari in course of his speech said that the settlement operations were thrust upon the tenants of Bengal and the landlords of Bengal not for their benefit but for the benefit either of the department or of someone else. I would just request the House to remember that before the district settlement operations in different districts were undertaken there was no correct record of rights in the province of the various landed interests and this was often a fruitful source of litigation between landlords and tenants, between tenants and tenants, and rival claimants of interests in land. The record-of-rights has got a presumptive value and there are instances where costly and ruinous litigations have been avoided with the help of the settlement records. So, whatever might be said of the cost and the trouble of survey and settlement it can never

be denied that ultimately these records are for the benefit of all concerned. Sir, in a province where almost one-third of the revenue comes from land and where 90 per cent. or over 90 per cent. of the people depend on land for their subsistence, I think it is only meet and proper that there should be correct record of rights and I venture to say that the public of Bengal have got every reason to be grateful to the memory of late Sir Charles Beateson Bell for the introduction of this system of survey and settlement.

Sir, as regards the cost, I had occasion to point out in my opening speech that it does not exceed 10 annas per bighas or Re. 1.14 per acre that is payable in equal shares by the landlords and tenants. So, the cost cannot be said to be a very high one.

Sir, the next question is whether Government should proceed with the revisional settlement or not. As I had occasion to observe in moving the demand that Government could not come to a final decision on this policy, but it is well known that these records of rights become out of date after 20 or 25 years. That has been the finding of our revenue experts, that has been the finding of the Hon'ble High Court and as a very large amount has now spent in preparing the record of rights, apart from the utility of their maintenance, I think for that reason alone it is necessary that the records should be maintained and kept up to date. For various reasons they go out of date: change in ownership, change in the configuration of the land, change in the classification of the land, change of ownership due to succession and sale and for other reasons the record gets out of date.

Sir, the demand under the head "Survey and Settlement" may be divided into two classes, namely, major operations and minor operations. Major operations are meant for revisional settlement, and district settlement that is to three districts where for the first time survey and settlement operations have been taken up. Dinajpur, Howrah and Rangpur. These districts had no record of rights, so they have got to be completed and have provided for a grant of nearly Rs. 2 lakhs for revisional settlement in the district of Midnapore. As I had occasion to point out, when the original settlement operations were taken up in the district of Midnapore, settlement was done without the system of Bujarat; so the records were not quite accurate and that is one of the main reasons why Government consider that revisional settlement should be first started in that district, besides the fact that nearly 600 square miles are under temporary settlement. The land revenue settlement in that area has been already completed and the owners of landed interest in that area took advantage of the revisional settlement in settling land disputes; so Government thought that after revisional settlement is taken up in the rest of the district it will be really in the interest and to the benefit of the public at large.

But, Sir, I may announce here that out of deference to the wishes of my friends of this House, Mr. Abdul Bari and others, who have

spoken in support of the motion against revisional settlement and out of deference to the wishes of my friends opposite Government have decided not to proceed with revisional settlement operations in Midnapore. Sir, but this involves a very unpleasant duty, namely, the discharge of a very large settlement staff: over one thousand will have to be discharged this year and almost the same number next year, and I hope Government will not be blamed for accepting this decision at the instance of the House.

**Mr. SANTOGH KUMAR BASU:** "But it will be keeping eleven Minister in office.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Sir, even if twice the amount that is paid to the eleven Ministers is given for the purpose it will not keep these two thousand people in employment.

So, Sir, Government is responsive and the cry is not the cry in wilderness according to Kazi Emdadul Haque. In course of his speech he made certain vague allegations and certain insinuations against the settlement staff, against the *amin*. If he would kindly bring specific instances to my notice or to the notice of the Revenue Department Government would be pleased to hold a thorough enquiry into cases of hardship caused to those tenants. This much assurance I can give.

As regards section 105 cases I pointed out that the rate of enhancement was practically nominal in most cases. So I do not think that they will cause hardship apart from the sentimental point of view. The land revenue revisional settlement operations are undertaken at every 20th or 22nd year and that is necessary, because the land which was first class might have deteriorated in course of time and the land which was unculturable might have become culturable in the meantime. So an adjustment of rent had become necessary because of the changes in the classification of the land and the rise and fall in the price of the food-stuffs. If there are instances of enhancements, there may also be instances of relief to tenants where it is found that the price of cultural produce has gone down in the meantime. So revisional settlements are not always a matter of hardship to the cultivators. It may be a source of relief to them as well.

**Khan Bahadur Hashem Ali Khan** in course of his speech said that in the khas mahal area in Bakarganj Government has been enhancing the rent after every land revenue revisional settlement operation and the result is that the incidence of rent has become very high and the burden is almost unbedrable by the tenantry, if I could follow his speech correctly. I would mention for the information of the House that the average rent of land per acre of a raiyat is Rs. 3-2 in an area where it is a fixed rent, i.e., not liable to enhancements; whereas in areas where the rent is liable to enhancements the rate of rent is Rs. 3-13. So it does not show much difference, only As. 11. That

certainly proves conclusively that Government has not been enhancing rents without any consideration of the economic interest of the tenantry.

**Mr. SURENDRA MOHAN MOITRA:** I doubt whether the rents mentioned are correct.

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Sir, it is very easy to doubt but it is very difficult to controvert facts. Sir, with these few words I oppose the cut motion and I hope my hon'ble friend Mr. Abd'ul Bari in view of the announcement I have made with regard to the survey and settlement operations in Midnapore, will see his way to withdraw the cut motion.

**Maulvi ABDUL BARI:** In view of the very definite assurances given by the Hon'ble the Revenue Minister I beg leave to withdraw my motion. (Laughter.) Sir, I find that the members of the Congress benches are laughing.

**Mr. SPEAKER:** When you want to withdraw a motion I think you will kindly avoid making any reference to anything except to the withdrawal.

**Mr. SANTOSH KUMAR BASU:** You cannot expect Congress to be always in tears.

The motion was then by leave of the Assembly withdrawn.

**Mr. SPEAKER:** So far as the Coalition Group is concerned, I think if they want to move their motions they may do so. I shall close the discussion at 6-20. Then I shall give an opportunity to the next group.

As Maulvi Abdul Wahab Khan rose to move his cut motion No. 142. Mr. Speaker said, "in view of the announcement made by the Hon'ble the Revenue Minister I think there is no necessity to move this motion. Motion No. 122 is exactly on the same lines, and I understand that the Congress Party has given preference to the Proja Party to move their motions."

**Mr. SARAT CHANDRA BOSE:** Yes, Sir.

**Mr. SPEAKER:** I now call upon Mr. Abdul Hakim to move his cut motion No. 163.

**Maulvi ABDUL HAKIM:** I beg to move that the grant of Rs. 36,12,000 be reduced by Rs. 100.

He spoke in Bengali in support of his motion.

While Maulvi Abdul Hakim, raised his voice in a declamatory tone in describing the exactions of the zemindars Mr. Speaker asked him to soften his voice a little?

After describing some of the instances Maulvi Abdul Hakim again shouted at the top of his voice and declaimed by saying that exactions of the Hon'ble the Home Minister from his zemindari were unparalleled.

**Mr. SPEAKER:** Order, order! Maulvi Sahib will you please sit down. I refuse to allow you any more time.

**Maulvi ABDUL LATIF BISWAS:** I rise to speak a few words, Sir, regarding this motion, but mainly in order to reply to the statement made by my friend Kumar Shibshankar Swar Roy, who said that the vested interests of the landlord were going to be challenged by the proposed Bengal Tenancy Act amendment as outlined by the Hon'ble Revenue Minister. My friend further said that this challenge is coming from an honourable member of this House who has been elected from the Landholders Constituency. I must say, and say very emphatically, that the so-called vested interests in land have not been legally acquired and possessed by the landlords. It is simply by a fluke that they got into the land. It is a tragedy that these zemindars have been declared to be the proprietors of the soil. In the year 1793, Lord Cornwallis by his Permanent Settlement declared that the zemindars were the proprietors of the soil, and he based his argument on the ancient laws of the land. He said that, according to the ancient laws, Government were getting some share of the produce of the land, and so landlords were going to be settled with that right, and that henceforward they would be declared the proprietors of the soil and as such entitled to certain rents. I would submit, Sir, that by that statute a number of exploiters only were created. Lord Cornwallis only said that according to ancient laws they were declared to be the proprietors of the soil, but he went so far only and no farther. (Dr. NALINAKSHA SANYAL: Are you supporting or opposing this motion.) I am coming to that point, Sir. My friend opposite wants to know whether I am going to support or oppose this motion, and I am going to let him know presently. The thing is: "What is ancient law?" I can show that, according to the ancient law, nobody except the tiller of the soil is the real proprietor of the soil. I submit, Sir, that the argument of Lord Cornwallis to the effect that the zemindars ought to be declared to be the proprietors of the soil was not quite right inasmuch as we can show that according to the ancient law the King was not the proprietor of the soil but it was the tiller of the soil that was the proprietor of the soil. Mr. T. H. Colebrooke, the well-known Sanskrit scholar, who had been in the service of the East India Company from 1782 to 1814, says that in the times of the Hindus the tillers of the soil were the actual proprietors

of the soil. He further says that the Government or the King received only a share of the produce of the land on the ground that he offered protection to the tenants from wicked people such as thieves and robbers, that he offered facilities for drainage and for irrigation works, and for some other grounds. This is, Sir, why he used to get a share in the produce. From the *Ain-i-Akhari* we find that there also the King had a share of the produce of the land, but not on the ground that he was a proprietor of the soil but on the ground that he required something for the proper upkeep of royalty, etc. But the King was never declared to be the proprietor of the soil as the zemindars now claim to be. If the King was not the proprietor of the soil at any period of history, then how is it that the King's right to take a share of the produce of the soil vested in the zemindars? How is it that the landlords came to be declared as the real proprietors of the soil, when even the Kings were not so declared? I can show that by reason of this Permanent Settlement Regulation only a set of exploiters were created. What are the results of this Permanent Settlement? The landlords are paying to Government a total annual revenue of Rs. 2,32,00,000, but, in actual fact, they are exacting 16 crores of rupees. Is not that exploitation, Sir? When the Permanent Settlement Regulation was made, the pious hope was expressed by Government that landlords would improve the condition of the soil. Have they done that? I challenge my friends to show one single instance in which they have given relief to the country or to the poor and one single instance in which they have ameliorated the condition of the soil. On the other hand, my friend the Kumar Sahib has said that, after due deliberation and consideration in the year 1928, the right of transfer was recognised on condition that the landlords would be given a *salami*. Can it be described as a right at all? That was given under a condition in which anything and everything could be given. At that time the representatives of the people—the *bona fide* representatives of the people—were not in the legislature. And by an unholy alliance between the landlords and the Government this law was thrust upon the people—a law which is all the more repressive because it is a lawless law and by which the life-blood of the people, I mean the tenants, was allowed to be sucked by these exploiters. Can anybody say that the right of transfer was given when it was snatched away by another hand which gave them the right of pre-emption? I want to warn my landlord friends that they should not be forgetful of themselves. They should be alive to the fact that if they do not deal fairly by the tenants the tenants will assert themselves, and in a few years the existence of the zemindars will be entirely annihilated from the face of Bengal.

Everybody knows, Sir, that the spread of free and compulsory primary education is the crying need of the country, and we have been

old by Hon'ble Ministers that money is not forthcoming for this purpose. But I say that if the Permanent Settlement be abolished by a stroke of the pen, then Government would be able to get a large amount of money by which they can proceed to improve the nation-building departments.

Now, I shall reply to the question of my honourable friend Dr. Nalinaksha Sanyal whether I am going to support or oppose the motion. We have experience—and bitter experience—of the treatment which we have had from the landlords. Now, we find that the landlords have raised the rate of their rents to an abnormal extent, which justice and equity demands should be lowered. Just now we have heard from the Hon'ble the Revenue Minister that Government proposes to appoint a Commission which will consider and inquire thoroughly into the existing land-laws of this province, and as a result of its enquiry Government will come to a definite decision as regards the land-laws of Bengal. Taking all these things into consideration, I may say that I have every sympathy with the motion which I consider to be a reasonable one and, accordingly, I, no doubt, give my support to it, but, in view of the statement made by the Hon'ble the Revenue Minister, I think the mover will kindly see his way to withdraw his motion. (Ironical cheers from Congress benches.)

**Mr. SARAT CHANDRA BOSE:** Sir, on behalf of the Congress Party in this House I wholeheartedly support the cut motion moved by my honourable friend Maulvi Abdul Hakim. This House is well aware that the Congress Party consists both of Prajas and zamindars and the whole party including the zamindars has made the demand for "a substantial reduction in rent and revenue" the first article of their faith. So far as the different classes and communities are concerned they are each entitled to demand justice and fair play. But this we do say—and I am only echoing the voice of the Congress here—that we recognise no vested interests, either alien or indigenous, except the vested interests of the actual tillers of the soil and the swated workers.

With these words I support the motion.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Very ingenious, indeed!

**Maulvi GIASUDDIN AHMED** spoke in Bengali in support of the motion the following of which is an English rendering:—

Mr. Speaker, while supporting my friend Maulvi Abdul Hakim's motion for the reduction of rent, I should like first to point out that when he was discussing such a weighty and important subject, an attitude of ridicule was noticed among certain responsible members of this Assembly. May be that as a result of our election to the legislature, our circumstances have changed individually but I would remind this House that the lakhs of peasants and tenants who have returned us here

as their representatives have undergone no change whatever so far as their financial condition is concerned. Many among them still have no cloth to wear—no food to eat and get no medicine during illness.

The rent question is indeed a serious problem with the peasants and tenants. Gradually the rate of rent has been increased to such an extent that it has become impossible for the tenants to pay it and they have therefore been compelled to default. And for arrears of rent lakhs of tenants are being financially ruined. Several lakhs of tenants of Mymensingh alone have been compelled to leave their hearths and home and to take shelter in the forests of Assam simply because of this. I fully endorse what Maulvi Abdul Latiff Biswas said about the history of the increase of rent. What logic is there in the fact that while zamindars pay to Government an annual revenue of only 2 crores and a half, they realise from the tenants 16 or 17 crores of rupees? Why should the tenants pay so much rent to the zamindars? Let the zamindars take from the tenants twice or thrice as much as they pay to Government and let the rate of rent throughout Bengal be fixed accordingly. It can be very easily done. The Hon'ble Revenue Minister has spoken of appointing a commission. Why should the question of a commission arise at all? The majority of the members of this Assembly are representatives of the peasants and tenants and there are representatives of the zamindars also and a committee of these two parties may easily and within a short time solve this problem. We are not prepared to support the appointment of a commission. Many commissions have come to and gone from India and the people know the result they produced. A commission is nothing but a device to hoodwink the people. Whenever there is any awakening of the people and whenever the people make any demand, a commission is appointed to deceive them into silence. We will not be hoodwinked by such tricks. We do not want any commission. Before I conclude I should like to say to Kumar Shib Sekhaheswar Rai who complained that the present Government were doing injustice to the zamindars and that Mr. Fazlul Huq was partly responsible for this, that the Chief Minister Mr. Huq has included as many as 8 zamindars in his Ministry of 11. This alone should more than satisfy the Kumar. I now request all to vote for the reduction of rent and thereby help the peasants and tenants.

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Sir, I am surprised, I must confess, at the attitude taken up by the Leader of the Opposition with regard to this question. He in a very light-hearted fashion said that his party was prepared to support the motion and the proposal for reduction of rent and revenue. I may remind him that the motion is for reduction of rent by amendment of the Bengal Tenancy Act. There is no proposal whatsoever for reduction of revenue

in it. What are the arguments advanced by the mover of the resolution? He said that the rent was a very heavy charge on the tenantry of Bengal and in order to give substantial relief to them a reduction in the rate of rent should be made. Sir, I join issue with him. The rent is by no means a heavy charge on the tenantry of Bengal. For the information of the House I shall just read our certain figures, the estimated value of the produce per acre of cultivated area in the following districts: These are the figures for 1933:

Bankura Rs. 47: the rent payable by the tenant per acre is Rs. 2.

Midnapore Rs. 48: the average rate of rent payable is Rs. 3-8.

Jessore Rs. 57: rent payable is Rs. 2-8.

Nadia Rs. 46: rent payable is Rs. 2-7.

Khulna Rs. 67: rent payable is Rs. 3-8.

Faridpur Rs. 50: rent payable is Rs. 2-40.

Dacca Rs. 60: rent payable is Rs. 2-13.

Mymensingh (the district of my friend Maulvi Abul Hakim) Rs. 60: rent payable is Rs. 2-8.

That shows clearly that rent is by no means a heavy burden on the tenants.

**Rai HARENDRA NATH CHAUDHURI:** May I ask what is the source of the Hon'ble Minister's information?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** The Crop Report and the Settlement Report. If in any particular case the rent is excessive the Bengal Tenancy Act already provides sufficient remedy. I would refer the mover of the resolution to section 112 of the Bengal Tenancy Act. Under that section steps can be taken for reducing the rent in any particular case. So there is not much substance in the statement that rent is a very heavy charge. If it is so in a particular case Government have sufficient power under section 112 and they can take steps if necessary and if they are called upon to do so.

Besides this I have already stated that Government propose to appoint a Commission to go into the whole question of the land tenure system of the province and one of the terms of reference will be the settlement of equitable and fair rent, and whether it is necessary or possible to reduce or enhance the rent in any particular area. That is a particular term of reference that this Commission will specifically go into. It is not possible to bring about a reduction of rent without a thorough and sifting enquiry. There are different classes of land and there are different rates of rent. It is not possible for any responsible Government to agree to a reduction of rent without a thorough and sifting enquiry. There are certain facts which have got to be placed

before the public and Government must be convinced that in a particular case there is reason for hardship. I have occasion to observe that if in any particular case the rent is excessive the Bengal Tenancy Act as it stands invests Government with sufficient power to reduce the rent. So it is not at all necessary to amend the Bengal Tenancy Act for this purpose. The motion is unnecessary, and so far as the spirit of the resolution is concerned Government are prepared to accept it and by appointing a Commission for investigating into a fair and equitable rent they have anticipated the move of the resolution.

**Babu NAGENDRA NATH SEN:** Will the Hon'ble Minister be pleased to quote the authority from which he read those figures?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** I have already said that—Settlement Reports and Crop Reports.

The motion being put a division was taken with the following result:

#### AYES.

Abdul Hafeez, Khan Bahadur, Syed.  
Abdul Hakim, Maulvi.  
Abdul Jabbar Pglwan, Mr. Md.  
Abdul Majid, Maulw.  
Abdul Wahed, Maulvi.  
Abu Hossain Sarkar, Maulvi.  
Abul Fazal, Mr. Md.  
Aftab Ali, Mr.  
Ahmed Khan, Mr. Syed.  
Asimuddin Ahmed, Mr.  
Banerji, Mr. P.  
Banerjee, Mr. Pramatha Nath.  
Banerji, Mr. Sibnath.  
Banerji, Mr. Satya Priya.  
Bannerjee, Mr. Manoranjan.  
Barma, Babu Premhari.  
Barma, Mr. Puspajit.  
Barman, Babu Shyama Prosad.  
Barman, Babu Upendra Nath.  
Basu, Mr. Santosh Kumar.  
Bhawmik, Dr. Gobinda Chandra.  
Biswas, Babu Lakshmi Narayan.  
Biswas, Mr. Rasik Lal.  
Biswas, Mr. Surendra Nath.  
Bose, Mr. Sarat Chandra.  
Chakrabarty, Mr. Jatindra Nath.  
Chatterpadhyay, Babu Haripada.  
Chaudhuri, Rai Narendra Nath.  
Das, Babu Mahim Chandra.  
Das, Babu Debendra Nath.  
Das Gupta, Babu Khagendra Nath.  
Das Gupta, Dr. J. M.  
Das Gupta, Mr. Narendra Nath.  
Datta, Mr. Dharendra Nath.  
Dutta, Mr. Sukumar.  
Dutta Gupta, Miss Mira.  
Emdadul Haque, Kazi.  
Fazler Rahman Muktear, Mr.  
Ghose, Mr. Atul Krishna.  
Giasuddin Ahmed, Mr.

Goswami, Mr. Tulsi Chandra.  
Gupta, Mr. Jogesh Chandra.  
Hasan Ali Chowdhury, Mr. Syed.  
Himatsingka, Mr. Prabhudayal.  
Jalaluddin Hashemy, Mr. Syed.  
Jonab Ali Majumdar, Maulvi.  
Khan, Mr. Debendra Lal.  
Kumar, Mr. Atul Chandra.  
Kundu, Mr. Nishitha Nath.  
Maiti, Mr. Nikunja Behari.  
Maitra, Mr. Surendra Mohan.  
Maji, Mr. Adwaita Kumar.  
Majumdar, Mrs. Hemaprova.  
Mazumdar, Mr. Birendra Nath.  
Mal, Mr. Iswar Chandra.  
Mandal, Mr. Jogendra Nath.  
Maniruzzaman Islamabadi, Maulana Md.  
Maqbul Hosain, Mr.  
Mukerji, Mr. Dharendra Narayan.  
Mukherjee, Mr. B.  
Mukherji, Dr. H. C.  
Mukherji, Dr. Sharat Chandra.  
Mullick, Srijut Ashutosh.  
Pain, Mr. Parada Prosanna.  
Pramanik, Mr. Tarinicharan.  
Ramizuddin Ahmed, Mr.  
Roy, Babu Patiram.  
Roy, Mr. Kamalkrishna.  
Roy, Mr. Kiran Sankar.  
Roy, Mr. Kishori Pati.  
Roy, Mr. Manmatha Nath.  
Sanyal, Dr. Nalinaksha.  
Sanyal, Mr. Sasanka Sekhar.  
Sen, Babu Nagendra Nath.  
Shahedali, Mr.  
Shamsuddin Ahmed, Mr. M.  
Sinha, Srijut Manindra Bhushan.  
Sur, Mr. Harendra Kumar.  
Thakur, Mr. Pramatha Ranjan.  
Zaman, Mr. A. M. A.

## NOES.

Abdul Aziz, Maulana Md.	Jasimuddin Ahmed, Mr.
Abdul Bari, Maulvi.	Kabiruddin Khan, Khan Sahib.
Abdul Hafiz, Mr. Mirza.	Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Abdul Hafiz Mia, Mr.	Khaitan, Mr. Dabi Prosad.
Abdul Hakim Vikramপুরi, Mr. Md.	Mahzuddin Ahmed, Dr.
Abdul Hamid, Mr. A. M.	McGuire, Mr. L. T.
Abdul Jabbar, Maulvi.	Mahtabuddin Ahmed, Khan Bahadur.
Abdul Kader, Mr.	Mandal, Mr. Amrita Lal.
Abdul Karim, Mr.	Mandal, Mr. Birat Chandra.
Abdul Latif Biswas, Maulvi.	Mandal, Mr. Jagat Chandra.
Abdul Wahab Khan, Mr.	Mayud Ali Khan Pannj, Maulvi.
Abdulla-Al Mahmood, Mr.	Mohammed Ali Khan Bahadur.
Abdur Rahman, Khan Bahadur A. F. M.	Moslem Ali Allah, Maulvi.
Abdur Rahman Siddiqi, Mr.	Mozammel Haq, Maulvi Md.
Abdur Raschid Mahmood, Mr.	Muhammad Afzal, Khan Sahib Maulvi Syed.
Abdur Rasheed, Maulvi Md.	Muhammad Ibrahim, Maulvi.
Abdur Rauf, Khan Sahib Maulvi S.	Muhammad Ishaque, Maulvi.
Kodur Rauf, Mr. Shah.	Muhammad Israil, Maulvi.
Abdus Shahood, Maulvi Md.	Muhammad Siddique, Dr. Syed.
Abul Hashim, Maulvi.	Muhammad Solaiman, Mr.
Abul Hossain, Mr. Ahmed.	Mullick, the Hon'ble Mr. Mukunda Behary.
Abul-Quasem, Maulvi.	Mullick, Mr. Putin Behary.
Acharyya Choudhury, Majaraha Sashi Kanta of Muktzacha, Mymensingh.	Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Aftab Hossain Joradar, Maulvi.	Mustagaswal Haque, Mr. Syed.
Ahmed Ali Mridha, Maulvi.	Mustafa Ali Dewan Sahib, Mr.
Ahmed Hossain, Mr.	Nandy, the Hon'ble Maharaja Sris Chandra, of Kasimbazar.
Alfazuddin Ahmed, Khan Bahadur.	Nasirullah, Nawabzada K.
Aminullah, Maulvi.	Nausher Ali, the Hon'ble Maulvi Syed.
Amir Ali, Md. Mia.	Nazimuddin the Hon'ble Kwaju Sir, K.C.J.E.
Ashrafali, Mr. M.	Paul, Sir Hari Sanker, Kt.
Aulad Hossain Khan, Maulvi.	Rahman, Khan Bahadur A. M. L.
Azhar Ali, Maulvi.	Raikat, the Hon'ble Mr. Prasanna Deb.
Barat Ali, Mr. Md.	Rajibuddin Tarafdar, Maulvi.
Basu, Babu Jatindra Nath.	Ray Choudhury, Mr. Birendra Kishore.
Chippendale, Mr. J. W.	Razaur Rahman Khan, Mr.
Das, Mr. Anukul Chandra.	Roy, the Hon'ble Sir Bijoy Prasad Singh, Kt.
Das, Mr. Kirit Bhushan.	Roy, Kumar Shib Shekharaswar.
Das, Mr. Monmohan.	Roy, Mr. Dhananjoy.
Edgar, Mr. Upendranath.	Roy, Rai Bahadur Kshirod Chandra.
Farhut Bano Khanam, Begum.	Sadaruddin Ahmed, Mr.
Fazlul Haq, the Hon'ble Mr. A. K.	Safuruddin Ahmed, Haji.
Fazlul Quadir, Khan Bahadur Maulvi.	Salim, Mr. S. A.
Fazlur Rahman, Mr.	Sanaullah, Al-Haj Maulana Dr.
Glasuddin Ahmed Choudhury, Mr.	Sarkar, Babu Madhusudan.
Golam Sarwar Hossaini, Mr. Shah Syed.	Sarker, the Hon'ble Mr. Nalini Ranjan.
Gomes, Mr. S. A.	Serajul Islam, Mr.
Gupta, Mr. J. N.	Shahabuddin, Mr. Khwaja, C.B.E.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.	Shamsuddin Ahmed Khandkar, Mr.
Mahzuddin Chowdhury, Maulvi.	Singha, Babu Kshetra Nath.
Hamiuddin Ahmed, Khan Sahib.	Suhrawardy, the Hon'ble Mr. H. S.
Hasanuzzaman, Maulvi Md.	Tamizuddin Khan, Maulvi.
Hassem Ali Khan, Khan Bahadur.	Tofel Ahmed Choudhury, Maulvi Haji.
Hassina Murshed, Mrs.	Waliur Rahman, Maulvi.
Hatemally Jamadar, Khan Sahib.	West, Mrs. Ellen.
Idris Ahmed Mia, Mr.	Yusuf Ali Choudhury, Mr.
Ispahani, Mr. M. A. H.	Zahur Ahmed Choudhury, Mr.

The Ayes being 80 and the Noes 112 the motion was lost.

(After the result of the Division was declared there were loud cheers and tapping on the benches from the right.)

**MR. SPEAKER:** It is very undesirable that in spite of my repeated warning you are going so much beyond limit that it is very difficult for

me to carry on work. I quite understand a little outburst but I do not understand how it could continue for such a long time.

The House will now adjourn for 15 minutes for prayer and after that I will take up the question whether the adjournment motion is in order or not.

The House was then adjourned for 15 minutes

(After Adjournment.)

**MR. SPEAKER:** Mr. Hashemy, how can you say that your motion is in order?

**MR. SYED JALALUDDIN HASHEMY:** Sir, the police went beyond their jurisdiction inasmuch as they entered a private house where a group of people, viz., members of the Bengal Presidency Moslem League were holding a meeting. Policemen were posted 2 hours before the meeting took place, there were 2 European Sergeants to maintain order there. We had been holding the meeting inside the hall which consisted of members only who were invited by cards. All on a sudden about 2 hours after, Mr. Robertson entered the hall without taking leave of the Chairman, Sir Wazir Hassan. I resented this unnecessary interference and went so far as to say that it was a trespass on Mr. Robertson's part to enter the hall; to this he retorted at once that he had brought his men—

**MR. SPEAKER:** Mr. Hashemy, will you satisfy me as to what extent the Home Department is responsible for this?

**MR. SYED JALALUDDIN HASHEMY:** Sir, that is the point I want you to decide. The presence of the police is necessary to maintain law and order. It is not their business to create disorder in a meeting of the Bengal Provincial Moslem League regularly organised. The President had to declare the meeting adjourned owing to the confusion and uproar caused by the entry of Mr. Robertson with an Inspector, some Sub-inspectors and a posse of constables. I claim that as the right of an ordinary citizen has been interfered with, it is a matter of urgent public importance.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, I do not like to go into the merits of the case but I would like to point out that the adjournment motion cannot be admitted as it will create an unfortunate precedent that on every action, the police may take an adjournment motion may be moved for it. Therefore I submit that it is not a matter of urgent public importance. There is no likelihood of any incident like this occurring again in the near future. There is no analogy

between this case and the one we discussed the other day over the incident at the Town Hall, because in regard to the other case there was a likelihood of repetition of the thing happening. The annual meeting of the Moslem League is over. It is a purely individual incident and if an adjournment motion is allowed for an individual incident which occurred owing to the action of the police, I am sure, Sir, it will be very difficult to carry on the business of this House.

**Dr. NALINAKSHA SANYAL:** Sir, the rules provide that an adjournment motion can be moved on any recent occurrence which can be termed a definite matter of urgent public importance. We submit that an interference on the part of the police with the civil liberties of citizens amounts to a very serious incident. The incident happened only yesterday, and therefore it is of recent occurrence. It is a very urgent matter because there is no guarantee that such incidents would be prevented or would not be repeated. Sir, you yourself ruled a few days ago that simply because an incident had already occurred the matter should not be dropped, or simply because there was no immediate prospect of similar incidents happening, it could not cease to come within the purview of an adjournment motion. It is a matter of urgent importance, it is a matter of recent occurrence; it is a matter of public importance as it affects the rights of citizens in general, and the Home Department is responsible for the conduct of the Police; and unless the Home Department repudiates its responsibility with regard to the particular conduct of a particular branch of the police, we have to assume that it is the Home Department that is responsible. Therefore, I submit that this motion should be in order.

**Mr. SPEAKER:** Sir, Nazimuddin, do you agree that the Home Department is responsible for an act of the police?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Certainly, Sir!

**Mr. ABDULLA-AL MAHMOOD:** Sir, I oppose the motion on the ground—

**Mr. SPEAKER:** There is no question of opposition. I want to know whether it is in order.

**Mr. ABDULLA-AL MAHMOOD:** Sir, the meeting was notified and handbills were issued that a meeting of the Moslem Parliamentary Board—(Cries of "No", "No"; You don't know what you are speaking about"). First of all, Sir, we were informed in the columns of newspapers that a meeting would be held on Sunday at No. 114, Lower Circular Road. Then, the Leaguers, i.e., the *bona fide* members of

the League had a legitimate right to go there and attend the meeting

**Mr. SPEAKER:** You are entering into the merits of the case. Why do you say that the motion is not in order?

**Mr. ABDULLA-AL MAHMOQD:** I say so because it is not a matter of public importance, as it concerns a few interested people who got a gentleman from outside—

**Mr. SPEAKER:** Order, order. Hon'ble Khwaja Sir Nazimuddin, the issues that have been raised before us are, first, that civil liberties have been affected and, secondly, as regards repetition even though the Moslem League may not hold its meeting again, it is quite possible that any other institution may hold a meeting and as such there is a likelihood of a repetition of such incident. The two issues are that the civil liberties of people to meet at a private place to hold a meeting have been jeopardised by certain activities of the police, and that there is a likelihood of such incident happening again. I take it also that you accept the responsibility for the Home Department. These two issues make the position clear. Do you still think that the motion is not in order?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Yes, Sir, anybody having a grievance against the police can go to the Court of Law, and ordinary that procedure must be followed. If this House is going to discuss and decide on every grievance that anybody may have for any action the police may take, be legitimately considered as infringing the civil liberties of people, then where are we going to end? That is my point, Sir. Naturally, I am responsible for every action of the police. Therefore I submit that it will create a very serious precedent. I would request you to think over the point that every action of the police can be brought up by an adjournment motion.

**Mr. TULSI CHANDRA COSWAMI:** Sir, if we accept the Hon'ble Khwaja Sir Nazimuddin's contention, then the legislature would be absolutely deprived of its power of moving an adjournment motion. After all the legislature is in session and it is an important part of the Constitution that the legislature should take serious notice of any infringement of civil liberties which is a very important point.

**Mr. SPEAKER:** I may point out that the police budget is coming up to-morrow and the question you want to discuss affects the activities of the police. So I think you can very well discuss these issues to-morrow when the police budget comes up.

**Maulvi SYED JALALUDDIN HASHEMY:** Sir, if I am allowed to speak on this matter, I can impress on you and other members here that it is such an important matter that I cannot give up the idea of discussing it in the hope of taking it up on the Police Budget.

**Mr. SPEAKER:** I am sorry I have not made myself clear. My point is this: to-morrow the Police Budget is coming up and on the police budget, if I mistake not, there are several motions tabled not only on the police administration but also on detailed items, e.g., to criticise the policy of Government interference with legitimate and peaceful demonstrations and meetings of different organisations, such as motion No. 233. I also draw your attention to No. 212 by which Mr. Hashemy himself wants to criticise the conduct of constables on duty at Sealdah and Howrah Stations in receiving gratifications from hackney carriage drivers, rickshaw pullers and taxi-drivers.

**Mr. JOGESH CHANDRA GUPTA:** Sir, may I point out that the question is whether it is not a definite matter of public importance. It is true that on the Police Budget we have tabled certain token cuts on which we can discuss the conduct of certain departments of the Police. But the question of policy is the main issue that is brought out in an adjournment motion and for a definite matter of public importance which has occurred recently. Mr. Hashemy wants to discuss the policy, and that policy is a matter of urgent public importance and the policy involved in it cannot be discussed while discussing a cut motion on the police budget. That is the point of view I would ask you, Sir, to take into consideration.

**Rai HARENDRA NATH CHAUDHURI:** Sir, May I point out that motion No. 233 proposes to criticise the general policy of Government interference with legitimate and peaceful demonstrations and meetings and not with reference to any matter of urgent public importance, whereas adjournment motions are meant to relate to matters of definite and urgent public importance. The specific matters mentioned in motion No. 233 are meant only for a general discussion which is quite a different matter.

**Maulvi ABDUL BARI:** Sir, as one who had occasion to be present at the meetings I can inform the House that there were two sections of the people—one of which did not accord approval to the action of the other section which were for the time being in possession of the house. There was some *golmal* owing to the threatening attitude from the side

**Mr. SPEAKER:** Order, you are going into the merits of the case.

**Mr. SANTOSH KUMAR BASU:** Sir, the whole question before you, in my submission, is this—can we in discussing the items of the police budget get an opportunity of expressing our considered opinion and of coming to a definite decision on the question which Mr. Hashemy proposes to raise by this motion?

That is the specific definite matter which it is proposed to place for the verdict of the House. In regard to the motion which Mr. Hashemy proposes to move, that, I submit, most respectfully, cannot possibly be achieved by discussing any cut motion which has been tabled under Police budget. So, the Hon'ble Khwaja Sir Nazimuddin's point loses wholly its importance when we find that that purpose will not be achieved by any discussion on Police budget, the purpose which has been clearly laid down in the rule governing an adjournment motion.

**Mr. SPEAKER:** What about motion No. 199?

**Mr. SANTOSH KUMAR BASU:** Even in that case it would not give the House an opportunity of giving its verdict on the specific issue which is sought to be raised. Whether this House should be given such an opportunity that is the whole point; and the whole purpose of the adjournment motion fails if we have to fall back upon a motion with regard to the general policy of the Police Department. I, therefore, appeal to you, Sir, in the name of this Legislature to uphold its rights and privileges because once for all you will give the verdict as to whether the Legislature can be called upon to give its verdict on a matter which encroaches upon the private rights and civil liberties of the people.

**Khan Sahib Maulvi SYED MUHAMMAD AFZAL:** I submit that this matter should be discussed on the floor of this House because we want to place on record the grievances we have.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I think it is a very important issue which has been raised because it will make a precedent in regard to the future policy to be adopted in connection with adjournment motions. I submit that the fundamental principle of an adjournment motion is to give the Legislature powers to discuss a definite matter of urgent public importance when it cannot be discussed by any other means. I submit further that under any of the cut motions which you have just now read out this question can specifically be raised, and the Speaker can say that this cut motion may be taken as a censure motion, and that if it is carried, it will have the effect of a censure motion which means more than carrying an adjournment motion.

Apart from the question of budget cut motions, I maintain that when the House brings in a matter of urgent public importance, the House can discuss it by other methods such as a resolution. Even in such a case, an adjournment motion should not be allowed because the time of this House is limited, and within that limited space of time it has got to transact a vast amount of business. On the other hand, if adjournment motions are allowed on every incident that takes place—and every incident can be classed as a definite matter of urgent public importance—there is no specific definition of what urgent public importance is, it being purely a question of opinion—then in that case it will be difficult to carry on the normal business of the House.

**Mr. ABDUR RAHMAN SIDDIQI:** Unfortunately the matter has given such a turn as to raise the question of privilege of this House. I must respectfully submit that if you in your wisdom think that the suggestion of Mr. Hashemy comes within the four corners of a motion for adjournment, then as the protector of the rights and privileges of this House and of every individual member—whether we agree with Mr. Hashemy or not—if a member of this House demands a motion of adjournment to be moved and if the rules for the conduct of business are not against him, I submit it is the duty of the Chair to protect our rights as he thinks best. Therefore I would most humbly and respectfully leave it to your decision.

**Mr. SPEAKER:** This is a very important question on which I have had the advantage of hearing more than the usual number of members whom I hear on an adjournment motion of this nature. The Home Department has accepted the responsibility for the action of the Police. Though I do not think that the policy of Government is the same thing as an individual action of a member of a department, in this instance, of a member of the Police Department, but as Government has accepted responsibility for this individual action of a Government servant, I have got to proceed on that basis, although I do definitely think that there should be a clear line of demarcation between an individual action and the general policy of Government. I refer to that, because it may affect a future issue between an individual action of an officer of Government and the policy of Government as a whole. Personally I think there should be a clear line of demarcation between individual acts and the question of policy of Government. As in this particular case, Government has taken the responsibility for the individual act of a Police officer, it is not necessary for me to go beyond that. I have only referred to that in order to guard against future issues.

Then this is a motion which wants to have an adjournment of the House. An adjournment motion is therefore a motion of a restrictive

character which wants to obstruct the normal proceedings of the House, while it is the duty of the Speaker to see that the normal proceedings are very rigorously carried on. I do admit that it is a matter of urgent public importance, but I do not think that every matter of urgent public importance is necessarily a subject-matter of an adjournment motion. Within the scope of the rules as well as within the scope of the conventions which are followed not only here but also outside this country, the Speaker has been given a great latitude. I do admit that the question in view of the issue which has been raised affects the civil liberties of the people and that there might be a repetition of that incident. But I have to use my discretion as to whether in spite of that I have to admit a motion or not, and I have also to consider whether a motion of this character can be discussed under the Police Budget. My definite opinion is that the matter can be discussed to-morrow under the Police Budget, and I am quite prepared to give facilities to Mr. Hashemy to move any motion as his own raising the definite specific issue involved. I have no control as to how such a motion can be moved, but if I find that the issue involved cannot be raised, I will give him an opportunity of again giving a notice of his motion when I will consider the matter further. But I say that the opportunity is there for Mr. Hashemy to take up the question of any specific point in regard to the Police Budget which is coming up to-morrow.

**Babu SHYAMA PRASAD BARMAN:** I beg to move that the demand of Rs. 36,12,000 be reduced by Rs. 100.

(The member spoke in Bengali in support of his motion.)

**Mr. SPEAKER:** You will have to bring your speech to a close in 2 minutes, as I shall now call upon the Hon'ble Revenue Minister to reply seeing that there is hardly any time left.

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Mr. Speaker, Sir, I rise to oppose the motion. The hon'ble mover seems to be under a very wrong impression that Government indiscriminately assume charge of estates under the Court of Wards without any rhyme or reason. Estates under the Court of Wards, Sir, may be generally divided into two groups, estates of minors, females, lunatics and persons who have been adjudged as incapable of managing their estates by a civil court and the second group is formed by those who, on their application, have got themselves declared as disqualified proprietors. (Mr. SANTOSH KUMAR BASU: What about idiots whose estates may also be taken over by the Court of Wards?) It may be that in the second class there are persons who are holding high University degrees as has been mentioned by my friend; there may be disqualified proprietors who are holding high positions but that disqualification was or may have been for other

factors than those mentioned by my friend. (Mr. SANTOSH KUMAR BASU: What are those other factors?) The other factors may, for instance, be that the estates became involved because of the general depression—yes, general depression. There are several estates which had to be taken under the Court of Wards, because they could not realise rent during the general depression. Now, it is to the interest of the public that in many cases estates should be taken over under the Court of Wards to save them from ruin. (A VOICE: Why not save the tillers of the soil?) Action is certainly going to be taken to save the tillers of the soil.

**Mr. SPEAKER:** Don't reply to interruptions, Sir Bijoy, otherwise you will not be able to finish your speech.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Sir, it is not the policy of Government as my friend believes to assume charge of estates without discrimination. In fact, every case is very carefully scrutinised by the Collector of the district, then by the Commissioner of the Division and also by the Board of Revenue before an estate is taken over. And estates are taken over by the Court of Wards on very cogent reasons mainly public. An estate has a public importance; it maintains quite a large number of charities. It will be prejudicial to the interests of the peasantry and a blow to the Province as a whole if such estates are sold up by their creditors. That, Sir, is the general policy which Government pursue in assuming charge of estates under the Court of Wards, and it is not a fact that estates are taken over indiscriminately as my friends seem to think. With these words I oppose the motion.

The amendment of Babu Shyama Prosad Barman that the demand of Rs. 36,12,000 be reduced by Rs. 100 was put and lost.

Then the main demand that a sum of Rs. 36,12,000 be granted for expenditure under the head "7.- Land Revenue" was put and agreed to.

**Mr. SPEAKER:** I might say that to-morrow the first item will be the short-notice motion of Mr. Jalaluddin Hashemy, which relates to police measures in Calcutta and is identical with motion No. 211. In that motion he will raise specifically the issue on which he wanted to move an adjournment motion to-day.

Now, I shall announce the seating arrangements which will come into force from to-morrow. The block "A" to my right will be occupied by the Hon'ble Ministers; and then the next two blocks, including the seats in the front (now occupied by the Hon'ble Ministers) will belong to the entire Coalition Group. The next block where

Mr. Hasan Ali and Mr. Jalaluddin Hashemy are now sitting will be reserved for the Scheduled Caste members and the members of the United Nationalist Party. The European Group will sit where they are now sitting. The Proja Party will shift to-morrow to where Mr. J. C. Gupta is sitting now. The Labour members will remain where they are. The Congress Group will also remain where they are. I hope all the groups will kindly note these changes, and I would request the Leaders and Whips of the different parties to give me a plan of the sitting arrangements of their members within their respective blocks within two or three days. I also hope members will kindly help me with this, because I find it very difficult to recognize the faces and call out the names. I am quite prepared to help the members in my own way, but I leave it to their option to arrange their seats within the scheme I have mapped out.

I shall now adjourn the House till 3-45 p.m. to-morrow.

#### **Adjournment.**

The House was then adjourned till 3-45 p.m. on Tuesday, the 24th day of August, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday,  
the 24th August, 1937, at 3-45 p.m.

**Present.**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.)  
in the Chair, the eleven Hon'ble Ministers and 214 members.

**STARRED QUESTIONS**

(to which oral answers were given)

**Debt Settlement Officers.**

**\*78. Mr. JATINDRA NATH CHAKRABARTI:** (a) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether it is a fact that several retired Government officials have been appointed as Debt Settlement Officers in connection with the newly formed Debt Settlement Boards in Bengal?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state the names and ages of these officers and the posts they held previously with their present pay and the pensions they are drawing?

(c) Will the Hon'ble Minister be pleased to state whether the posts were advertised?

(d) If the answer to (c) is in the negative, will the Hon'ble Minister be pleased to state—

(i) why the posts were not advertised; and

(ii) what are the reasons for giving preference to retired officers?

(e) Is it not a fact that qualified young men are available for appointment to these posts?

**MINISTER in charge of CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick):** (a) Six retired Government officers have been so appointed.

(b) A statement is laid on the table.

(c) No.

(d) (i) The posts are temporary and advertisements are not required.

(ii) No preference can be said to have been shown to retired officers as 57 young men were recruited simultaneously.

(e) It is expected that qualified young men will be available for any such additional posts.

*Statement referred to in the answer to starred question No. 78.*

Names.	Posts previously held	Present pay	Pensions	Age.
		Rs	Rs a.	
(1) Khan Sahib Abdur Rahman Khan	Inspector of Schools	125	252 0	56
(2) Babu Jyotish Chandra Sinha	District Sub-Registrar	125	173 9	59
(3) Babu Nalini Kanta Biswas	Inspector of Police	125	150 0	55
(4) Maulvi B. W. M. Abdur Rahman	Sub-Deputy Collector	125	50 0	Not known.
(5) Maulvi Taskinuddin Ahmed	District Sub-Registrar	125	52 1	Iditto
(6) Maulvi Gholan Akbar	Khas Tashildar	125	Nil	56

**Dr. H. C. MUKHERJI:** With reference to answer (d)(ii), will the Hon'ble Minister be pleased to state whether at the time when these six retired Government officers were appointed, the services of properly qualified young men were available and if so why were they not appointed?

**The Hon'ble Mr. MUKUNDA BEHARY MULICK:** I understand it was necessary for Government to make immediate appointments and these officers were appointed because they were readily available.

**Maulvi ABDUL LATIF BISWAS:** What is the underlying policy of appointing retired Government officers as Debt Settlement Officers?

**The Hon'ble Mr. MUKUNDA BEHARY MULICK:** I have already answered that Government wanted men immediately, and that as the retired officers were available they were appointed.

**Khan Sahib Maulvi S. ABDUR RAUF:** Is the Hon'ble Minister aware that Nalini Kanta Biswas is an Honorary Magistrate?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** Sir, I am not aware.

**Maulvi ABDUL BARI:** For how many years have these posts been created?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** They were created since the establishment of the Boards.

**Maulvi ABDUL BARI:** My question is for how many years are the posts to be continued?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** That has not yet been decided.

**A Member:** Are we to understand that in the case of temporary appointments no advertisements are made at all.

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I cannot say.

**Babu KSHETRA NATH SINCHA:** Is it not a fact that Babu Nalini Kanta Biswas was in the Co-operative Department before his appointment to the Debt Settlement office?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I am sorry I do not know.

**Maulvi ABDUL BARI:** If the duration of these posts have not yet been settled, how is it that these are classed as temporary?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** Because the Board is temporary, therefore these posts must be temporary also.

**Dr. H. C. MUKHERJI:** If the services of 57 young men were available, how is it that six more were not available?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** So far as the 57 young men are concerned, they were taken on the results of the Bengal Civil Service Examination.

**Maulvi ABDUL BARI:** How were these 57 men appointed?

**Mr. SPEAKER:** Order, order: The Hon'ble Minister has already replied in answer to the previous question that appointments were made on the results of the Bengal Civil Service Examinations.

**Mr. JOGESH CHANDRA GUPTA:** Was the list of persons who succeeded at the competitive examination exhausted by appointing 57 young men necessitating the appointment of retired Government officials who were nearing the age of 60?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I am not aware of these details.

**Mr. ABDULLA-AL-MAHMOOD:** Will not the Government be held responsible, in case these posts are abolished and the young men are thrown out of employment?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** These appointments have been made on a temporary basis and this fact is known to every one of the candidates.

**Flooding of certain areas in the suburbs of Calcutta.**

**\*78A. Babu NAGENDRA NATH SEN:** (a) Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware—

- (i) that a large tract of land near the Ballyganj and Dhakuria Railway stations is now under water;
- (ii) that the area of the same would be about 25 square miles;
- (iii) that the whole of the Kasba Road from a few yards off the Ballyganj station eastward is under water;
- (iv) that the water has reached and over-flooded the courtyards of the residential houses of the people there;
- (v) that the water is stagnant and is about 4 ft. on the Kasba Road and emits nauseating stench;
- (vi) that the conservancy work in that area has been rendered impossible;
- (vii) that typhoid, cholera, malaria and bacillary dysentery and other water-borne and zymotic diseases are apprehended;
- (viii) that there has already been a large number of such cases in the area;
- (ix) that a portion of this area is under the Tollygunj Municipality and about 20 square miles area is under the 24 Parganas District Board;

- (x) that no steps have hitherto been taken either by the Tollygunj Municipality, the 24-Parganas District Board, or the Local Board and Government to de-water the area;
  - (xi) that this condition is due to the silting up of the Bidyadhari;
  - (xii) that the people in the affected area are finding it extremely inconvenient even to cook their daily food;
  - (xiii) that the people in the affected area are finding it extremely existence of water inside the huts and the courtyard of the houses; and
  - (xiv) that street hydrants are under water so that the drinking water supply has been completely cut off in that area?
- (b) Will the Hon'ble Minister consider the desirability of taking any steps to ameliorate the condition of this area for the interest of the people living therein?

**MINISTER in charge of PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Maulvi Syed Nausher Ali):** (a) -

- (i) Yes, on account of heavy monsoon rain.
- (ii) and (ix) The estimated area is about 15 square miles, of which about 2 square miles are within the Tollygunj Municipality, the remaining area being within the jurisdiction of the 24-Parganas District Board.
- (iii) Up to about one-fourth of a mile east of the Ballygunj Railway station.
- (iv) Yes; in many houses in the flooded area.
- (v) The depth of the water, which is stagnant, varies from 1 foot to 4 ft. on the Kasba Road. The stench is bad in some places.
- (vi) Conservancy work in the area has naturally become difficult, but the municipal authorities are doing their best in the circumstances.
- (vii) Yes; but steps are being taken by the municipal authorities against such outbreaks under the guidance of the Public Health Department of Government.
- (viii) No such case has yet been brought to my notice.
- (ix) Yes.
- (x) Yes, in some cases.
- (xi) I have no information that there has been any case of casualty.

(xiv) Street hydrants have in some cases been raised to a higher level and the nozzles of some hydrants are still above level; but I admit that there is a great risk of contamination of the water supply.

(a) (x) and (b). I can assure the Hon'ble Member that the whole matter is receiving my most earnest consideration. As soon as the information regarding the flooding came to my notice, I had a conference convened on Friday last of all the officers and authorities concerned, and a copy of the decisions reached at that conference, which appeared in the form of a Press Note on Saturday last is laid on the table for the information of the Hon'ble Member.

On Sunday morning I myself in company with my Hon'ble colleague in charge of Communications and Works, visited the flooded area in Tangra, Dhappa, and Kasba. We were accompanied by the Director of Public Health, the Chief Engineer, Irrigation Department, the Chief Engineer, Public Health Department, the District Magistrate, 24 Parganas, the Chairman, Tollygunj Municipality, and the Drainage Engineer, Calcutta Corporation, and the result of our inspection generally confirmed the views which were expressed at the conference held on Friday last. The gravity of the situation is undeniable, but, at the same time, Government as well as the Municipality and the District Board are powerless as regards taking immediate steps to relieve the flooding, in view of the unanimous opinion of the engineering experts that owing to the silting up of the Bidyadhari river, no relief by gravity flow is possible and that the only other alternative, namely, pumping out the water is also impracticable until after the cessation of the monsoon, when it may be possible to isolate the homestead areas within the Tollygunj Municipality by the construction of an embankment then to de-water the area by pumping the water into a suitable channel. I have, however, directed the District Magistrate to take steps forthwith to advise the inhabitants of this area to move temporarily to higher lands, and to submit proposals to Government for the erection of temporary quarters on whatever high lands might be available for his purpose.

On the question of safeguards to public health, I have been assured by the Chairman of the Tollygunj Municipality that he is doing everything possible in this direction and that the Municipality has already sanctioned a special grant of Rs. 5,000 for this purpose. I have instructed the Director of Public Health to keep himself in constant touch with the municipal authorities and the Chairman of District Board, and to render all possible assistance to them in taking measures for the prevention of outbreak of epidemic diseases in the area concerned. The Assistant Director of Public Health in charge of the Presidency Circle, an Assistant Surgeon and three Sub-Assistant Surgeons have been placed on special duty to attend to this matter.

My Hon'ble colleague has also directed the Chief Engineer, Irrigation Department, to prepare as soon as possible, a scheme for draining this area effectively. As soon as such a scheme is submitted to Government, it will receive their most careful consideration.

*Press Note referred to in the answer to clauses (a) (x) and (b).*

In connection with the complaints which have been brought to the notice of Government during the last few days regarding flooding of certain areas within the Tollygunj Municipality and its neighbourhood, a conference was held on Friday morning in Writers' Buildings, Calcutta, at the instance of the Hon'ble Minister, Local Self-Government Department.

2. Those present included—

- (1) Mr. G. S. Dutt, I.C.S., Secretary, Public Health and Local Self-Government Department,
- (2) Mr. M. O. Carter, I.C.S., District Magistrate, 24-Parganas,
- (3) Mr. T. A. Curry, Chief Engineer, Irrigation Department,
- (4) Mr. F. C. Griffin, Chief Engineer, Public Health Department,
- (5) Lt.-Col. A. C. Chatterjee, I.M.S., Director, of Public Health,
- (6) The Chief Executive Officer, Calcutta Corporation,
- (7) The Chief Engineer, Calcutta Corporation,
- (8) The Chairman, District Board, 24-Parganas,
- (9) The Chairman, Tollygunj Municipality,
- (10) Mr. S. C. Majumdar, Superintending Engineer, Irrigation Department,
- (11) Rai Girish Chandra Sen Bahadur, Deputy Secretary, Public Health and Local Self-Government Department.

3. As a result of discussion, it was ascertained that water had accumulated in an area covering about 16 sq. miles within the Tollygunj Municipality, Boincheetola union board, Haltoo union board and a large portion of khas mahal land in the rural area of the 24-Parganas. The accumulation of water had been taking place every year for the last 10 or 11 years. The natural drainage outlet for this accumulation was the Bidyadhari river, but unfortunately this river had for some years been steadily silting up until the water level had now risen so high that water could no longer flow off into that river. The accumulation of water has become progressively worse in recent years in proportion as the Bidyadhari river has deteriorated. The situation now is that since relief by gravity flow is no longer possible, the only practical

method of disposing of this flooding is by pumping water into whatever channel is available. At the present time, the only channel so available for receiving this pumping discharge is the Calcutta Corporation's storm-water channel which is already over-loaded. For the same reason, namely, the deterioration of the Bidyadhari river, the other low areas to the east and south-east of this area are also inundated to a considerable depth.

4. The inundation this year has been worse on account of the heavy monsoon rainfall and the conditions have been such that all drainage channels and pumping installations are already overworked. It was unanimously agreed that in these circumstances no immediate relief was possible, and that there was no other alternative than to advise the people who are the worst affected to consider the feasibility of their removing themselves temporarily to quarters on higher lands.

5. The Engineers present suggested that from the engineering point of view, the only possible way of giving relief would be, after the cessation of the monsoon, to isolate the homestead area within the Tollygunj Municipality by the construction of an embankment and then to de-water such area by pumping into the storm-water channel of the Calcutta Corporation.

The District Magistrate of the 24-Parganas has undertaken to examine the question as to how the cost of constructing and maintaining such an embankment could be financed.

6. The Engineers present were unanimously of opinion that the flooding was done by the water from the Calcutta Corporation area was not correct. The main reason for the flooding was the heavy monsoon rainfall this year and obstruction to its natural run-off.

It was pointed out that under the E. B. Railway there are two culverts between the 6th mile near Jadavpur and the Garia bridge and three other culverts between the Dhakuria railway station and the 6th mile. Water flows from the east to the west through the former two culverts and thence from the west to the east through the latter three culverts and thus adds to the congestion in the Panchananagram area. It would reduce flooding in these areas if these culverts were temporarily closed.

7. It was agreed that when Dr. Dey's outfall scheme comes into operation, this area will be linked with the suburban storm-water channel of the Calcutta Corporation, into which all drainage accumulation will pass.

8. The Director of Public Health has made recommendations regarding the steps to be taken to ensure safety of public health in the area affected and to prevent the outbreak of epidemic diseases within the Tollygunj Municipal area. The Chairman of the Tollygunj Municipality has promised to carry out these recommendations.

**Rai HARENDRA NATH CHAUDHURI:** With reference to answer (a) (x) and (b), viz., to isolate the homestead areas by the construction of an embankment and then to de-water the area by pumping, why were no steps taken before the monsoon set in?

**The Hon'ble MAULVI SYED NAUSHER ALI:** The flood this year is somewhat unprecedented. No doubt there was flooding in the past, but it was never known that flooding would take such an unusual dimension this year. So far as the raising of an embankment is concerned, it was primarily the concern of the local authorities. Government have now realised the seriousness of the situation and they are taking all possible steps to see that the local authorities do the needful as early as possible.

**Rai HARENDRA NATH CHAUDHURI:** What has been done with representations made from the Tollyganj Municipal area during the last three or four years?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I am not aware of such representations.

**Mr. ANUKUL CHANDRA DAS:** Is it not a fact that in Tangra five of the culverts on the Corporation road have been closed so that water from that area cannot pass through with the result that the inhabitants are in great danger?

**The Hon'ble Maulvi SYED NAUSHER ALI:** No doubt some culverts have been closed on the road as a protection against the water coming into the area of the Calcutta Corporation. From what we know to be the position there it is a debatable point as to whether the Corporation was justified in doing so or not.

**Rai HARENDRA NATH CHAUDHURI:** Has the matter been brought to the notice of Corporation authorities?

**The Hon'ble Maulvi SYED NAUSHER ALI:** It will be brought to the notice of the Corporation.

**Mr. RASIK LAL BISWAS:** Will the Government bear the cost of removal to high lands of inhabitants of the affected area in Tollyganj?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I think not.

**Mr. ANUKUL CHANDRA DAS:** In view of the alarming situation at Tangra, will the Government ask the Corporation to reopen the culverts?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I think Government will not be justified in asking the Corporation to do so without first ascertaining the real state of things.

**Mr. SANTOSH KUMAR BASU:** Will the Hon'ble Minister be pleased to state whether water-bogging in Calcutta is any the less without water coming from outside areas?

**Mr. SPEAKER:** Order, order: that question does not arise.

### UNSTARRED QUESTIONS

(to which answers were laid on the table)

#### Expenditure on hill exodus during summer, 1937.

**22. Mr. ANUKUL CHANDRA DAS:** Will the Hon'ble Minister in charge of the Finance Department be pleased to state the expenditure incurred by Government in connection with the visit of members of Government and their staff to Darjeeling during the summer of 1937?

**MINISTER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker):** About Rs. 46,000.

**Mr. JOGESH CHANDRA GUPTA:** How much of this Rs. 46,000 was for the journeys of the Ministers and how much for those of the staff?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I want notice.

#### River Titash in Tippera.

**23. Mr. DHIRENDRA NATH DATTÀ:** (a) Is the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department aware—

(i) that the river Titash in the district of Tippera is the only drainage for the subdivision of Brahmanbaria;

(ii) that the bed of the river has silted near Akhaura, an important jute centre, in the subdivision of Brahmanbaria, to the loss and inconvenience to the jute business and general traffic; and

(iii) that representations for the re-excavations of the bed of the river have been made by the people as well as by the Assam-Bengal Railway Company Limited and jute companies at Akhaura?

(b) Is the Hon'ble Minister considering the desirability of taking steps to make the river navigable throughout the year?

**MINISTER in charge of COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Kasimbazar):** (a) Yes.

(b) The subject of the silting in the Titash river, in the Brahmanbaria subdivision, has been under observation and investigation for some time past. The main difficulty is that the flow in the Titash river is held up by the high water level in the Meghna river. Dredging in the Titash river, south of Akhaura, will not only be very costly, but its effect will not last long and the benefit therefrom will not be commensurate with the large cost incurred.

**Mr. DHIRENDRA NATH DATTA:** Was any expert appointed to enquire into the subject of silting up of the river Titash?

**The Hon'ble Maharaja SRIS CHANDRA NANDY of Kasimbazar:** I do not think so.

**Mr. DHIRENDRA NATH DATTA:** With reference to answer (b) is the statement made therein based on the opinion of experts.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** It is based on the opinion of the experts in our service.

**Mr. DHIRENDRA NATH DATTA:** Is it not a contradictory statement on the part of the Hon'ble Minister to say that no expert was appointed and then again to say that the statement is based on the opinions of experts?

**Mr. SPEAKER:** Order, Order: The question does not arise. You wanted to know whether experts were appointed and to that the reply was that no appointments were made. To your next question the reply is that the opinion is based on the experience of departmental experts. There is therefore no contradictory statement on the part of the Hon'ble Minister.

**Breaches in the Goomti embankment, Tippera.**

**24. Mr. DHIRENDRA NATH DATTA:** (a) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state—

(i) how many breaches in the Goomti embankment of the district of Tippera have occurred since the embankments have been declared public embankment under the Bengal Embankment Act, 1882; and

(ii) the extent of the loss caused thereby?

(b) Is the Hon'ble Minister aware that some portion of the embankment on the north of the river Goomti is not maintained either by the Government or by the Tripura Raj authorities?

(c) Is it a fact that in spite of the representations made by the people and as well as by the tenure-holders no effective steps have been taken to notify these portions as the public embankment?

(d) Is the Hon'ble Minister aware that there have been breaches in that portion of the embankment in every year causing immense loss to the agriculturists and to the tenure-holders who contribute to the cost of the maintenance of the embankment?

(e) Does the Hon'ble Minister contemplate taking immediate and effective steps to relieve the people from the constant floods due to the breaches in the Goomti embankment?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**

(a) (i) The embankment on the right bank of the Goomti from village Golabari to village Solanal, a length of about 9 miles, and the embankment on the left bank from village Katak-Bazar to village Kansanagor, a length of about 21 miles, in thana Comilla, were taken charge of by Government for maintenance in the year 1920.

A statement showing the number of breaches which occurred in this portion of the embankment since that time is placed on the table.

(ii) As noted in column 5 of the statement.

(b) Yes.

(c) Yes. It is not intended to take over this portion of embankment as its maintenance would be harmful to the Comilla Protective Embankment (left) which protects the important town of Comilla.

(d) I have no detailed information about the breaches in the non-Government portion of the embankment.

(e) Construction of an escape on the Goomti bank with the object of disposing of a portion of the flood and giving some relief to the area affected, is under consideration.

*Statement referred to in the answer to clause (a) (i) of unstarred question No. 24, showing the number of breaches which occurred in the Government portion of the Goomti Embankment since 1920.*

Date.	Place where breach occurred	Mileage	Bank.	Extent of damage caused by the breach.
8-10-22	.. All Khar Char ..	11th	Left ..	Not known.
After 1922 there was no breach in the portion of embankment maintained by Government till the year 1929.				
9-6-29	.. Kanthalia ..	13th	Left ..	} Damage to <del>the</del> crops was considerable but the soil benefited as it produced good <i>aman</i> crops later on
11-6-29	.. Subarnapur ..	3rd	Right	
1-8-33	.. Ratnabati ..	7th	Right	The breach did not cause much damage to crops and was closed after the flood subsided
23-6-4	.. Ditto ..	7th	Right	No damage as the breach was closed promptly
14-8-35	.. Dumuria ..	6th	Right	The current through the breach was immediately controlled by constructing a temporary ring bund. The damage was slight
10-8-36	.. Aradura ..	9th	Left	No damage
20-6-37	.. Ramchandrapur ..	19th	Left	No damage as the breach was immediately closed

**Mr. DHIRENDRA NATH DATTA:** With reference to answer (d), is the Hon'ble Minister aware that a portion of the embankment was maintained by the Tripura Raj?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I think so.

#### Special Officers, Debt Conciliation Boards.

**25. Mr. SHAH SYED GOLAM SARWAR HOSAINI:** Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(i) whether there are any retired officials of Government employed as Special Officers in connection with the Debt Conciliation Boards; and

(ii) if so, their number and the posts from which they retired?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** (i) Yes.

(ii) Six. One Sub-Deputy Collector, one Inspector of Schools, 2 District Sub-Registrars, one Inspector of Police and another Khas Tahsildar and Settlement Revenue Officer.

**Khan Saheb Maulvi S. ABDUR ROUF:** Is the Hon'ble Minister aware that there is a strong public feeling against the appointment of retired Government officials?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I am not aware, Sir.

#### **Amendment of the Agricultural Debtors Act.**

**26. Maulvi MAFIZUDDIN CHOUDHURY:** Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether Government intend amending the Agricultural Debtors Act with a view to bring within its operation the liabilities of the debtors to the Co-operative Societies?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** Debts due to Co-operative Societies are already within the scope of the Act. Such debts are not found among any of the excluded liabilities enumerated in item (8) of section 2. No such amendment is, therefore, called for.

**Maulvi ABDUL BARI:** Is the Hon'ble Minister aware that there is a special provision in the Agricultural Debtors Act that people, having debts in co-operative banks, will not be permitted to apply to Debts Settlement Boards without obtaining previous permission from the Registrar of Co-operative Societies?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I am sorry, my Hon'ble friend is wrong; there is no such provision.

#### **Operation to the Bengal Agricultural Debtors Act, 1935.**

**27. Maulvi JONAB ALI MAJUMDAR:** (a) Is the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department aware of the delay in giving full and prompt operation to the Bengal Agricultural Debtors Act, 1935?

(b) is the Hon'ble Minister aware—

(i) that some 24 ordinary Debt Settlement Boards were declared to be formed under section 3 (2) of the Bengal Agricultural

Debtors Act in the Hajiganj Circle in the district of Tippera as published in the *Calcutta Gazette* of the 30th July, 1936; and

(ii) that the first sittings of those boards as required under sub-rule (1) of rule 3 of the Bengal Agricultural Debtors Rules were delayed till the first week of December, 1936?

(c) Is the Hon'ble Minister aware that notices under section 34 of the Bengal Agricultural Debtors Act were, in a large number of cases rejected by some civil courts in the Chandpur subdivision on grounds of mere formalities and technicalities?

(d) If the answer to (b) is in the affirmative, will the Hon'ble Minister be pleased to state the number of cases in which the notices under section 34 of the Bengal Agricultural Debtors Act issued by the Debt Settlement Boards of the Hajiganj Circle were rejected by the civil courts of Chandpur up to the 30th April, 1937?

(e) Are the Government considering the desirability of setting up a special Debt Settlement Board in the Hajiganj Circle in the Tippera district invested with powers under section 7 of the Bengal Agricultural Debtors Act, 1935?

(f) Will the Hon'ble Minister be pleased to lay on the table a statement showing for the period between the 30th July, 1936, and the 10th of December, 1936, for Chandpur subdivision of Tippera—

(i) money suits (small cause court and rent) decreed; and

(ii) sales held?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** (a) I am not aware of any avoidable delay in giving full and prompt operation to the Act.

(b) (i) Yes.

(ii) Yes, in 14 cases; there was unavoidable delay in supplying forms prescribed under the rules, the printing of which involved more time than had been anticipated. The necessary forms were not received in Tippera till November, after which first sittings of boards were arranged.

(c) Yes, in several cases; but I am not aware of the reasons for their findings.

(d) 149.

(e) Yes; as soon as formal proposals are received from local authorities.

(f) (i) 5,208 and (ii) 847.

**A Member:** Is the Hon'ble Minister aware that in some cases the first sittings were not held even after a month?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I do not think I have anything further to add to the answer I have given.

**Maulvi ABDUL HAKIM:** (In Bengali) Is the Hon'ble Minister aware that certain Mahajans take interest on their capital in the shape of agricultural produce?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I am afraid that question does not arise out of the main question.

**Maulvi ABDUL HAKIM:** (In Bengali) Will the Debt Settlement Boards be competent to decide settlement of such debts?

**Mr. SPEAKER:** That is not a question for eliciting information, but one of legal opinion.

#### Debt Settlement Boards.

**28. Maulvi MD. ISRAIL:** (a) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(i) the number of applications received up to the 30th June, 1937, by the Debt Settlement Boards; and

(ii) the total amount claimed by the creditors in those applications?

(b) Is the Hon'ble Minister aware of the fact that the ordinary boards have not been invested with powers under sections 9 (2) and 13 (2) of the Agricultural Debtors Act?

(c) If the answer to (b) is in the affirmative, do the Government contemplate to vest these boards with the power under the said sections?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** (a) The information required is being collected and a reply will be given when this is available.

(b) and (c) Government are prepared, and intend, to invest ordinary boards with powers under sections 9 (2) and 13 (2) as and when local officers send their recommendations; and instructions to this effect have been issued. One hundred and forty-one ordinary boards in 8 districts have already been invested with power under section 9 (2). Of these, 14 have been empowered under section 13 (2) as well.

**Maulvi MUHAMMAD ISRAIL:** When will this information be available?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I have already stated in the answer that as soon as it is available I shall inform my hon'ble friend about it?

**Maulvi MUHAMMAD ISRAIL:** With reference to answer (b) and (c), will the Hon'ble Minister kindly state the names of the districts he refers to?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I want notice.

**Difficulty of the agriculturists to secure loan owing to the enforcement of the Agricultural Debtors Act.**

**29. Mr. CHARJ, CHANDRA ROY:** (a) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether he is in possession of any report showing that the working of the Debt Settlement Boards has not adversely affected the work of the civil courts in the districts in which the Agricultural Debtors Act is in operation?

(b) Is the Hon'ble Minister aware that a large number of lawyers in the districts in which the said boards are operating have been thrown out of employment?

(c) Is the Hon'ble Minister aware that owing to the enforcement of the Agricultural Debtors Act the agriculturists themselves find it difficult to secure loans in their dire necessity?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** (a) No such report has been received.

(b) and (c) No.

**Mr. JOGESH CHANDRA GUPTA:** With reference to answer (c), is it not a fact that on account of the working of the Debt Settlement Board, the agriculturists themselves have been suffering for not being able to secure loans? Has the Hon'ble Minister made an enquiry in that respect?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** It has never been brought to my notice that such a thing has happened, but if my hon'ble friend desires, I may make an enquiry.

**Mr. JOGESH CHANDRA GUPTA:** Did the Hon'ble Minister think it fit to make an enquiry into the matter after he got notice of this question.

**Mr. SPEAKER:** Order, order: I must make the position clear. A question is asked for the purpose of eliciting information. But if a member desires that on the basis of a certain statement an enquiry should be made, I think it is the duty of that member to write to that effect to the Hon'ble Minister concerned.

**A Member:** (In Bengali) With reference to answer (c), may I know the source of his information?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I am sorry, Sir, I never said so.

#### Sections 26C and 26F of the Bengal Tenancy Act.

**30. Mr. BIRENDRA KISHORE RAY CHOUDHURY:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing for each year for the period from 1932-33 to 1936-37—

- (i) the number of transfers of holdings under section 26C of the Bengal Tenancy Act; and
- (ii) the number of cases in which the right of pre-emption under section 26F of the Bengal Tenancy Act was exercised by the landlords?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):** (i) The information is not readily available. It is being collected but this will take some time. The information, when available, will be supplied.

(ii) A statement is laid on the table.

*Statement referred to in the answer to clause (ii) of unstarred question*

*No. 30.*

Number of cases in which the right of pre-emption under section 26F of the Bengal Tenancy Act was exercised by the landlords—

1932-33	...	...	1,052
1933-34	...	...	987
1934-35	...	...	1,168
1935-36	...	...	1,776
1936-37	...	...	2,257

**MR. BIRENDRA KISHORE'RAY CHAUDHURY:** May I have the names of districts where the right of pre-emption was not exercised by the landlords?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I want notice.

**Amount spent for the restriction of jute cultivation.**

**31. Mr. AMRITA LAL MANDAL:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

- (i) the amount spent for the restriction of jute cultivation in Bengal in (1) 1934-35, and (2) 1935-36; and
- (ii) the result of such movement?

**MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca):** (i) (1) Rs. 39,426 approximately and (2) Rs. 43,885 approximately.

(ii) The member is referred to the communique published on 7th October, 1936, a copy of which is placed on the Library table.

**Mr. MIRZA ABDUL HAFIZ:** Will the Hon'ble Minister be pleased to state whether it is under contemplation of Government to introduce some definite system of jute restriction with a view to raise the price of jute?

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:** I would ask the Hon'ble Member to wait till I move the Agricultural Budget when I propose to place before the House a comprehensive scheme for economic uplift.

**Appointments in the office of the District Magistrate and Collector, Jessore.**

**32. Mr. RASIK LAL BISWAS:** (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing since January, 1932—

- (i) the number of appointments made by the District Magistrate and Collector of Jessore in the (1) ministerial, (2) menial, and (3) Court of Ward's service; and

(ii) the number appointed for the members of the scheduled castes with their (1) names, (2) dates of appointment and (3) present pay?

(b) What steps do the Government intend taking towards reaching the proportion of appointments to be given to the scheduled castes?

(c) Do the present Government contemplate any change in the policy of the previous Government with regard to the appointment of the scheduled castes in Government services?

**The Hon'ble Sir BHOY PRASAD SINGH ROY:** (a) A statement is placed on the table.

(b) No further steps beyond those taken in Government Order No. 9898 A., dated the 21st September, 1936 (of which a copy is placed on the table), are contemplated at present.

(c) No.

*Statement referred to in the answer to clause (a) (i) and (ii) of unstarred question No. 32.*

Clerical appointments made since January 1932		Menial appointments made since January 1932		Appointments made to Court of Wards' services since January 1932	
Total number of appointments	Number appointed for the members of the scheduled castes with their (1) names, (2) dates of appointment and (3) present pay	Total number of appointments	Number appointed for the members of the scheduled castes with their (1) names (2) dates of appointment and (3) present pay	Total number of appointments	Number appointed from the members of the scheduled castes with their (1) names, (2) dates of appointment and (3) present pay
<i>Permanent.</i>					
24	1 Jadu Nath Biswas appointed probationer on the 7th October, 1936, in the scale of Rs. 35-35-40-42-68-32-80	10	Nil	143	3 1 Budhiswar Sardar, appointed as a <i>park</i> on the 1st March, 1933, at Rs. 6 per mensem 2 Hazari Sardar, appointed as a <i>park</i> on the 14th May, 1936, at Rs. 6 per mensem 3 Abhoy Charan Biswas, appointed in 1933 on Rs. 6 per mensem (Babu Jnanendra Nath Sikdar, a member of the scheduled castes, was appointed as a clerk on Rs. 30 on the 2nd August, 1935, but he subsequently resigned)

Clerical appointments made since January, 1932.

Menial appointments made since January, 1932.

Appointments made to Court of Wards' service since January, 1932.

Total number of appointments	Number appointed for the members of the scheduled castes with their (1) names, (2) dates of appointment and (3) present pay	Total number of appointments.	Number appointed for the members of the scheduled castes with their (1) names, (2) dates of appointment and (3) present pay.	Total number of appointments.	Number appointed from the members of the scheduled castes with their (1) names, (2) dates of appointment and (3) present pay.
		<i>Temporary.</i>			
81	6 1 Babu Girish Chandra Mallik appointed temporary clerk on Rs. 35 per mensem from 4th July, 1936. Appointment has already ceased. 2 Babu Jadu Nath Biswas appointed temporary clerk on Rs. 35 per mensem from the 15th August, 1936. Since appointed probationer. 3 Babu Jnanendra Nath Sikdar At first appointed temporary clerk on Rs. 25 per mensem on the 2nd January, 1937. Appointment since changed to job and contract rate clerk (Cess Revaluation Department). 4 Babu Jatindra Nath Bhakta appointed temporary clerk on Rs. 35 per mensem on the 9th April, 1937 (continuing). 5 Babu Upendra Nath Das appointed temporary clerk on Rs. 35 per mensem on the 9th April 1937 (continuing). 6 Babu Lakshman Chandra Das appointed temporary clerk on Rs. 35 per mensem on the 4th August, 1937 (continuing).	34	Nil	21	Nil

*Government Order referred to in the answer to clause (b) of unstarred question No. 32.*

## GOVERNMENT OF BENGAL.

## APPOINTMENT DEPARTMENT.

## Appointment.

Memorandum No. 9898A.

*Calcutta, the 21st September, 1936.*

In Appointment Department memorandum Nos. 3540-3554A., dated the 28th April, 1931, it was stated that Government were in favour of

encouraging education among the backward classes by making provision for their employment to a reasonable extent in ministerial appointments and announced certain measures which had been adopted with that end in view. The number of suitable candidates from those classes being small, percentages could not be prescribed for all areas and districts but it was ordered that in Faridpur and Bakarganj at least one out of every three non-Muhammadan vacancies should, as an experimental measure, be filled by candidates belonging to the backward classes. With regard to other areas, District Officers and other appointing authorities were directed to look out for and encourage candidates from backward classes especially where they formed a large proportion of the non-Muhammadan population and to submit returns showing the progress made from year to year. In Government Order Nos. 107P-1085A.—D., dated the 21st June, 1935, the words "minority communities and backward classes" were substituted for the words "backward classes" wherever they occurred in Appointment Department memorandum of the 28th April, 1931, and the list attached to that memorandum was replaced by one which is based mainly on the list of Scheduled Castes shown in Government Resolution No. 915A.R., dated the 28th December, 1934, as subsequently amended, with certain additions.

2. These orders have now been in force for five years and Government have recently reviewed the position. For this purpose the returns received during the experimental period have been examined and the views of the Commissioners of Divisions obtained regarding the supply of suitable candidates from the backward classes for ministerial appointments and the advisability of extending the system of reservation to other districts. While results vary considerably from district to district, Government are satisfied that good candidates from the backward classes are available. They are also impressed by the fact that all such candidates hitherto appointed have been found fit for confirmation. There are, therefore, good grounds for extending the system of reservation and Government have decided to extend the effect of the orders of 1931 in the following way:—

Fifteen per cent. of the total number of vacancies in the districts of Dacca, Birbhumi, Burdwan, Khulna, Jessore, Moulvibazar, 24 Parganas, Bakarganj and Faridpur shall be filled by members of the minority communities and backward classes and in the districts of Rangpur, Dinajpur and Jalpaiguri, a working rule shall be adopted under which one candidate shall be recruited from these classes and communities against every four temporary vacancies provided qualified candidates are available.

3. As regards other areas and districts, the number of suitable candidates from minority communities and backward classes for ministerial appointment being still small, Government are not prepared to

prescribe any definite percentages but the general directions issued in 1931 should be followed. As then ordered, candidates from minority communities and backward classes possessing the requisite qualifications for any ministerial appointment should not be rejected merely because other candidates have reached a higher standard. A reasonable number must be appointed under the usual conditions of probation. This preference should be extended only to admission to probation and not to confirmation after probation, and probationers from these communities and classes will be required to reach the same standard for confirmation as is prescribed for probationers of other communities.

4. Returns regarding recruitment of candidates from minority communities and backward classes should continue to be submitted to Government in the form prescribed for the purpose, Appointment Department memorandum Nos. 7686-7700A., dated the 18th April, 1932).

5. A revised list of minority communities and backward classes was circulated to all departments with memorandum Nos. 1071-1085-A.—D., dated the 21st June, 1935.

G. P. HOGG,

*Chief Secretary to the Government of Bengal.*

**Mr. RASIK LAL BISWAS:** With reference to (a) and (b), what is the reason for not giving effect to the percentage of appointments for scheduled castes settled by Government in Memorandum No. 9898-A of 21st September, 1936?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Government have been pursuing the policy that has been laid down in that Memorandum. I do not know what has led the Hon'ble Member to infer that Government are not following that policy.

#### **Malaria in Mymensingh.**

**33. Mr. BIRENDRA KISHORE RAY CHOUDHURY:** (a) Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware of the outbreak of malaria in the district of Mymensingh?

(b) If so, will the Hon'ble Minister be pleased to state the steps proposed to be taken by Government for combating the spread of the disease?

**The Hon'ble Maulvi SYED NAUSHER ALI:** (a) Yes.

(b) A copy of the report of the Director of Public Health showing the action that has already been taken by Government as well as by the District Board, and further action that is proposed to be taken, is placed on the Library table.

### Short Notice Question.

**\*553. Mr. SURENDRA MOHAN MAITRA:** (a) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state—

- (i) whether it is a fact that one of the prisoners in the Andamans on hunger-strike has already expired;
- (ii) whether it is also a fact that the condition of four others is extremely grave;
- (iii) whether it is a fact that Sj. Sarat Chandra Bose, the leader of the opposition in the House, with two others despatched a telegram on the 17th instant, to the Chief Commissioner, Andamans, requesting him to communicate his message to the hunger-strikers in the Andamans to suspend their hunger-strike?

(b) Will the Hon'ble Minister be pleased to state whether the contents of the said telegrams have been communicated to the hunger-strikers?

(c) If so, with what result?

(d) If not, why not?

(e) Is it a fact that the relatives of the prisoners are not supplied with relevant informations even if they are willing to pay the cost?

(f) Is not the rule or the practice that the relatives of the detenus will be kept duly posted with the conditions of hunger-strikers?

(g) Is it a fact that Sj. Golap Chandra Singha, the father of prisoner Sj. Ananta Singha sent a telegram to the Chief Commissioner of the Andamans requesting him to communicate his request to his son Sj. Ananta Singha to give up hunger-strike?

(h) If so, have any steps been taken on that telegram?

**MINISTER in charge of HOME (SPECIAL) DEPARTMENT (The Hon'ble Khwaja Sir Nazimuddin):** (a) (i) and (ii)—The latest information received late last night is to the effect that two strikers are seriously ill. No deaths have been reported.

(a) (iii) and (b)—I have no information.

(c) and (d)—Do not arise.

(e) and (f)—Relatives are informed if the condition of a convict gives cause for anxiety.

(g) and (h)—I have no information.

**Mr. SIBNATH BANNERJEE:** May we have a copy of the question? We cannot follow the answer unless a copy of the question is supplied to us?

**Mr. SPEAKER:** If members go on putting questions after questions on short notice and want answers thereto on an emergent matter like this, it is not always possible to have copies of such questions made in time and circulate them amongst members. If a member wants to know what a particular question is, it is primarily the concern of that member to consult the member who has given notice of it.

**Mr. JOGESH CHANDRA GUPTA:** But the point, Mr. Speaker, is that the short-notice question has not been read out. What we want in regard to a short-notice is that it should be first read out before the answer is given. We do not want such a question to be circulated.

**Mr. SPEAKER:** All right: Secretary will now please read out the question and also the answer.

(The Secretary read out the question as well as the answer.)

**Mr. JOGESH CHANDRA GUPTA:** Does the Hon'ble Minister make any distinction between deaths having taken place and deaths not having been reported?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** No, Sir, I have given what information is in my possession and as far as I know no death has taken place.

#### *Supplementary Questions.*

**Mr. SURENDRA MOHAN MAITRA.** Sir, will the Hon'ble Minister be pleased to state whether he will communicate with the Chief Commissioner of the Andamans to ascertain whether this message has been communicated to the hunger-strikers or not?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I will try to find out.

**A member from the Congress Group:** The Hon'ble Minister in answer to a question the other day said that the grievances of the hunger-strikers would be looked into after the strike was over. May I know if this information has been communicated to the hunger-strikers?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I am not sure if this information has been communicated to the hunger-strikers.

**A member from the Congress Group:** Will the Hon'ble Minister be pleased to state whether the telegram sent by Mr. Sarat Chandra Bose has been withheld or not?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I have no information whether any telegram was sent by Mr. Sarat Chandra Bose or not.

**Mr. SARAT CHANDRA BOSE:** Will the Hon'ble Minister be pleased to state whether the information which he received last night was direct from the Chief Commissioner of the Andamans or through the Government of India—I mean the information about the serious illness of two hunger-strikers?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** A copy of the wire was sent by the Government of India.

**Mr. SANTOSH KUMAR BASU:** Will the Hon'ble Minister be pleased to state whether his assurance that the grievances of the hunger-strikers will be taken into consideration if they abandon the hunger-strike has been communicated to the Government of India by the Bengal Government?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Whatever statement has been made by me in this House has been communicated to the Government of India.

**Mr. SPEAKER:** There is another short-notice question. I will now take it up.

**Short-notice starred question.**

**\*532. Mr. SASANKA SEKHAR SANYAL:** (a) Has the attention of the Hon'ble Minister in charge of Home (Special) Department been drawn to the Press report about the hunger-strike in the Berhampore Detention Camps?

(b) Is the Hon'ble Minister considering the desirability of making a statement giving full particulars about hunger-strikers including their number, and present condition?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** About 250 detenus in Berhampore camp have been on hunger-strike at various times since the 16th August. The number yesterday was about 200. I am informed that there is no special cause for anxiety with regard to any individual.

**A member from the Congress Group:** Will the Hon'ble Minister be pleased to state if there is a rule which prevents the Commandants of these Camps from giving any particulars to the members of the public when such a situation occurs?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** They communicate with Government and Government give the information.

## DEMAND FOR GRANT.

### 29—Police.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,09,08,000 be granted for expenditure under the head "29—Police."

In this connection I would like to state that this year there is a saving in the budget on the Police expenditure as compared with last year of Rs. 70,000 and last year there was a saving also of Rs. 60,000. In two years a saving of Rs. 1,30,000 has been effected. Besides that, from 1932-35 there was actually an increase of expenditure every year by about Rs. 3 lakhs. This was arrested in 1936-37 and since then economies have been effected which have given us a saving of Rs. 60,000 in one year and Rs. 70,000 in another. Over and above this the provincial revenues have got a relief to the extent of Rs. 3,92,000 on account of the contributions made by the Government for Railway Police. As far as possible attempts are being made to reduce Police expenditure and the old Government appointed various committees to go into this question of Police expenditure. Those committees made recommendations which when full effect is given, will effect reduction in expenditure. Over and above that revised scale of salaries has been introduced for new entrants and when full effect is given (it will take some time for the full effect to be felt) there will be a reduction of something like Rs. 2 lakhs.

Before I conclude I would like to state the policy of this Government regarding recruitment in Bengal Police of the ordinary constables excluding the armed branch. In future the recruitment will be confined to the literate Bengalis. So far as the Calcutta Police is concerned the same principle will be observed, subject to the restriction that suitable men would be available for the special needs of the Calcutta Police. With these words I commend my motion to the acceptance of the House.

**Mr. SARAT CHANDRA BOSE:** Sir, may we know from the Hon'ble Minister as to whether any of the recommendations of the committees referred to by him have been acted upon at all and, secondly, by what time he expects that full effect will be given to those recommendations?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Most of those recommendations have been accepted and given effect to.

**Mr. SYED JALALUDDIN HASHEMY:** I beg leave to move item No. 211 which stands in the name of Mr. S. A. Gomes. Sir, you suggested this as an amendment to my adjournment motion notice of which I gave yesterday.

**Mr. SPEAKER:** You move the amendment.

**Mr. SYED JALALUDDIN HASHEMY:** I beg to move that the demand of Rs. 2,09,08,000 under "29—Police" be reduced by Rs. 100.

With the inauguration of Provincial Autonomy in Bengal I expected and very rightly expected that a change in the angle of vision, a change in the outlook, a change in the mode and methods in the administration, a new orientation in culture and tradition of the Government and above all a change in the mentality of the Calcutta Police will come about. Of course it is idle to expect that a change will come overnight. But a change has come—a change for the worse. The position of the police *lathi* which was so long vertical has become horizontal now. It is a change. Sir, during the civil disobedience movement of which I have got some experience and in which I had the honour to participate. I had occasion to defy the law, to defy the authority of law with a full sense of responsibility. At that time I found that there were two courses left to the Police—*lathi* charge or no *lathi* charge: intervention or no intervention: there was no middle course left to the Police. But, Sir, now another change has come into the mentality of the Police, that is an invidious *via media* to interfere with the ordinary civic

rights and duties of the citizen. At that time it was not difficult at all for us to understand the Police. They did everything under the garb of some authority—some judicial authority, and I have no grudge against any action of the Police.

Now, Sir, with my own eyes I saw the *lathi* charges, and believe me when I say that most of the police officers of Calcutta who know me including Mr. Gordon had occasion to enter my room, when I was sleeping, with two revolvers in two hands and other police sergeants with torch lights in their hands. I had no difficulty to understand that position. They did it with some authority—with judicial authority. But, Sir, the scene I witnessed the other day on the 22nd August last was so shocking, so terrible, so unthinkable that I cannot describe it in words. It can better be imagined than described. I found to my surprise Mr. Robertson, the Assistant Commissioner of Police, leading a procession inside the hall where the annual general meeting of the Bengal Presidency Moslem League was going on under the presidency of no less a man than Sir Syed Wazir Hassan, the *ex*-Chief Judge of the Oudh Chief Court. He was followed by Mr. Ispahani and Comrade Abdur Rahaman Siddique and a large number of gentlemen—I will not call them hooligans and I will not use any strong terms to-day, Sir, my friend Comrade Abdur Rahaman Siddique is a foreign politician and statesman of repute having experience not only of Indian politics but of politics of Near East and the Continent too. He will bear me out and many members of this House will bear me out when I say that the meeting was going on peacefully. The meeting was going on from 2 p.m. to 3-45 p.m.—

**A voice:** No.

A friend says “no.” If I am mistaken he will correct me.

Sir, I will not say a word which is published in the daily vernacular “Azad,” I will quote some authority, I will quote a few lines from the clean paper which is more a journal than a newspaper—I mean the “Star of India.” Not that it is a news, it is an authorised statement issued by the so-called elected Secretary of the Bengal Presidency Muslim League. The statement is issued by Mr. Syed Badrudduja, said to be the Secretary of the Bengal Presidency Muslim League. Therefore, Sir, it is an authorised statement in which he says:—

“As soon as the President took the chair Molla Jan Md. raised a point of order drawing the attention of the President to the obstructionist tactics adopted by some hired men at the gate who were forcibly preventing *bona fide* members of the League from taking part in the deliberations of the meeting. The President, however, turned a deaf ear to it. Mr. Shamsur Rahman again drew the attention of the chair to the conduct of the hooligans at the gate but the President refused to listen to his protest. At this stage the up-country non-members who

were found occupying most of the seats in the house assumed a threatening attitude and created an unseemly row. When the situation assumed alarming proportions, Mr. Syed Badrudduja made an earnest appeal to the President to take a calm and dispassionate view of the situation and conduct the proceedings in an orderly fashion consistent with the dignity of the League and exhorted the President in all seriousness to depute a responsible officer of the League at the gate to check the vagaries of the people posted there so that *bona fide* members might get in; but all appeals and entreaties were fruitless and the majority of the *bona fide* members of the League had no other alternative but to leave the Hall as an emphatic protest and hold the meeting in the verandah under the presidency of Mr. Abdul Bari (one of my colleagues in this House). Sir, when the meeting began—I must say that it was the annual general meeting of the Bengal Presidency Muslim League, invitation letters were issued to the members and as per rule only members were allowed to enter into the hall and take part in the proceedings and according to the rules members who paid their annual subscriptions could take part in the debate—it was brought to the notice of the President Sir Syed Wazir Hassan that some members had been left out, they were not allowed to enter in. He at once asked the Secretary of the League Dr. R. Ahmed to enquire into the matter and put things aright. That was the only course for the President who came all the way from another province to Calcutta. The members who raised the point of order left the meeting as a mark of protest and they say that they held another meeting of the Moslem League in the verandah.

**MR. SPEAKER:** Order, order. I am afraid we are not concerned with the internal economy of the Muslim League. We are here concerned with the police and I was expecting that some police would come in by this time but have not yet found anybody except Mr. Robertson! (Laughter).

**MR. SYED JALALUDDIN HASHEMY:** To my surprise, Sir, I found Mr. Robertson entering the hall with a procession. Before that I found that 12 Indian constables and two sergeants had been posted at the gate of the Dental Hall at 114, Lower Circular Road. I do not know under whose requisition those police officers and constables were posted. Presumably they were posted by the Police Commissioner apprehending some breach of peace or as per usual practice of posting police officers at public meetings as is done in the Albert Hall or Town Hall. But it was not at all a public meeting; it was a meeting of the members of a certain association. We do not grudge police maintaining all possible order but there was no disorder at all. The meeting began at 2 p.m. and all on a sudden Mr. Robertson shabbily dressed with rain-coat on—

**Mr. SPEAKER:** Order, order. I think you are not entitled to make a remark like that in the House. You are in a privileged position in this House but you should not cast an aspersion of the nature you have made on a Government officer who is not present in the House.

**Mr. SYED JALALUDDIN HASHEMY:** Sir, my point was that he was not in uniform. Without any police badge or uniform he entered the Hall and among the people who followed him I found with my own eyes the two gentlemen whose names I have already mentioned, and they all began to shout in a manner which I do not like to describe and waste the time of the House. There was no other course left to the President but to adjourn the meeting. Sir, I personally intervened and asked Mr. Robertson "Why and under what circumstances and for what reason you have entered this Hall and are creating this sort of disturbance?" Mr. Robertson replied in presence of many members "I have brought these men who have got their tickets with them." I at once retorted "Mr. Robertson, it is not your business to arrogate to yourself the duty of taking the ticket of the members of the Moslem League: there is no disorder here, unnecessarily you are creating disorder here and asking the members of the League to vacate the Hall in which they are peacefully joining in the deliberations of the meeting." Still he insisted on driving members out of the Hall. In the meantime the number of persons swelled inside the Hall and it was impossible for us to remain there and we had to leave the Hall under pressure of the police—he had with him an Inspector of Police, a Sub-Inspector of Police and one or two sergeants. Sir, I have seen police entering the private residence of gentlemen when some associations were declared unlawful, when some meetings were declared unlawful, but the meeting of the Bengal Presidency Muslim League was not declared illegal and there was no disorder or apprehension of disorder. As per the statement issued by the so-called Secretary of the League, it is evident that they left the meeting hall and held another meeting in a place which is about half a furlong off from the place where we had been—

(At this stage the House was adjourned for 15 minutes.)

*After Adjournment.*

**Mr. SYED JALALUDDIN HASHEMY:** Sir, I will be very brief and to the point. I would first of all put some questions to the Home Minister and then I will finish my speech.

Assuming for a moment that the report published in the newspapers that the doors were shut to some of the *bona fide* members, I have

already said that members entered and walked straight to the hall. May I ask, Sir, who deputed these ten constables and two sergeants at the gate at 12 o'clock, and were not these men enough to maintain order and peace if there was any disorder. May I ask who deputed Mr. A. K. Robertson to enter into the hall? Was it the Deputy Commissioner, the Commissioner of Police or the Home Member himself? May I ask who has taken the responsibility of that particular officer? May I ask in all seriousness whether a breach of the peace was apprehended at this Annual General Meeting of the Bengal Presidency Moslem League? Is it not a fact that the Home Minister apprehended that the party he belongs to would be defeated at the meeting, and actuated by that apprehension he deputed Mr. Robertson to disperse the meeting? With regard to this particular officer, I will not say anything. If occasion arises, I will do so. I will not say anything about the Colson-Gordon dispute: I will not say a word about the conditions of Calcutta, about the Chinese dens, about the gambling dens in Patka-bazar, about the luxurious motor cars of a particular officer. I will not say that a particular officer owns and maintains three or four houses in Calcutta. I will only say that if I am asked to take charge of this portfolio of law and order, I will at once forget all past things and party spirit, but I will not take the responsibility of such an irresponsible officer who does not care for any law or order. May I mention by a passing reference that Mr. A. K. Robertson was invited by some responsible member of the Cabinet to go and disperse the meeting. May I suggest also that if this be proved then we are helpless here. If the Minister in charge of Law and Order takes this sort of advantage on persons who are holding a lawful public meeting, we have no other course but to resign our seats here and go away to our village homes and lead a peaceful life there. I must confess that if I give expression to my views to-day on the floor of this House, I shall ask for protection, as I care for my head, my life, my property and my honour. If I do not get the protection, I must confess that either I will have to vote in future against my conscience or I shall have to resign my seat. A few years ago I was removed from this House. But I must confess that when I used to speak here I had no hesitation in speaking against the late Sir William Prentice or Sir Robert Reid, the then Member in charge of Law and Order, because they forgot everything as soon as my speech or my observation was finished; they had no personal grudge against me and I honestly criticised their action. But I feel great hesitation to-day to pass any remarks against the Hon'ble Home Minister because you might have seen in the columns of newspapers—and I am sure the Press Officer knows it very well—a leaflet in which it is said by one Maulana Abu Rezak Malihabadi that if anybody does this he will be made "cool". Some eight or ten persons, hooligans, entered the house and assaulted him. He has got one police officer to

protect him. I want some such protection, I want a sergeant by me to protect my head, my life, my dignity and my prestige. Is it possible for an individual member of this House to protect himself against the onslaught and vagaries of the police force. If the police force be let loose like this, our life is not worth living. I would beg the Hon'ble Minister in charge of Law and Order to forget once for all that he is a party man and think coolly the position. In the provincial autonomy of which so much has been said, I do not think our lives are safe. I would ask my European friends through you, Sir, if they had a meeting of the Rotary Club or of the European Association and if some members were shut out from that meeting, would they allow Mr. Robertson to enter that meeting? I think they will be upholding their honour and will turn Mr. Robertson out from that meeting. Will any European in England or elsewhere tolerate this rascality and vagaries of the police—certainly not. I appeal to every section of the House to consider this matter. The High Court is there to remedy any wrongs. It is not the business of Mr. Robertson or any police officer to take on himself the power of a judge. He has misused his power and he should be condemned by everyone. If such a thing had been attempted at a meeting of the European Association or of the Bengal Chamber of Commerce, the police would not have been able to save their heads. But we poor people are helpless and it was not possible for us to fight with a huge body of men. Owing to my physical disability I want a sergeant to be posted near me every day from morning till 10 p.m. I may very justly claim this protection from the Hon'ble Home Minister. I would appeal once for all to my European friends and all right-thinking members that if they had such an irregular entrance made to their meeting hall by the police, what would they have done? Certainly I think they would have turned Mr. Robertson out of the hall. But in this case it was the President and the Secretary who were turned out of the hall.

Somebody was telling me that I was after cheap popularity by voting for the Congress. Sir, it is not a question of cheap popularity. If it is for cheap popularity, I have paid heavily for it. I had been arrested by the ordinary police, the military police and the European sergeants. I was an inmate of all central jails barring Dacca, and I have been almost in all jails—ten district jails and ten sub-jails. But nobody either in the police department or in the jail department had any complaints against my behaviour. I have been always of good behaviour. During the days of the Civil Disobedience Movement, though some of the Congress members misused their powers, the police sergeants had nothing to complain of my conduct.

I do rightly hope that the Hon'ble Khwaja Sir Nazimuddin will be pleased to recall the days of election when he went to my constituency.

Out of respect to his personality I refrained from attending every meeting that was addressed by him. I did also the same thing when the Hon'ble Mr. A. K. Fazlul Huq went—

**MR. SPEAKER:** Mr. Hashemy, you are going much beyond your limits.

**MR. SYED JALALUDDIN HASHEMY:** Sir, I have almost finished.

**MR. SPEAKER:** This is perhaps the sixth time that I am hearing it.

**MR. SYED JALALUDDIN HASHEMY:** Sir, one sentence more and I have finished. In the statement written by the so-called Secretary it is clearly stated that some members of the Moslem League entered the Hall and protested. I do not understand why these two gentlemen, Mr. Abdur Rahman Siddiqui and Mr. Hassan Ispahani took the protection of the police and followed Mr. Robertson. Can any of these gentlemen tell this House that they had been refused admission—certainly not. Only when some people from the outside who were not members and who had not received any tickets from the Association wanted admission, they were refused admission. I presume that Mr. Robertson did not come with any authority from the higher officials, but with a hint from outside, because if he had such authority he would have come in uniform—he came in evening dress.

With these observations, Sir, I move my motion.

**Maulvi ABDUL BARI:** Sir, as reference has been made of me by my colleague Mr. Hashemy and as one who was an eye-witness to the occurrences that took place on Saturday, the 22nd August, as one who was present there all along from 1-30 p.m. right up to 4 or 4-30 p.m. on that day, as one who was till that moment the Vice-President of the Muslim League, I deem it to be my duty not only to myself, but also to the members of this House, as well as to the members of the larger public outside, and also to the police officer, to whom reference has been made, to speak a few words on this occasion. When Mr. Hashemy rose to speak, I thought that it was an expression of gratitude, it was an expression of thanksgiving on his part, that was going to be delivered; but when he was making a reference to Mr. Robertson I was surprised that he was doing so not with a view to thank him but of simply making accusations and allegations against him. What I saw, what I found, and what I think of it, is that had it not been for Mr. Robertson the heads of many people would have been broken (Ironical cheers from the Congress benches), skulls of many people would have been broken, and it was only for Mr. Robertson that the blood of many people was not spilled on the floor of that hall. And, to-day what do we hear from

Mr. Hashemy? We hear that Mr. Robertson's visit to the meeting was quite unauthorized and without any purpose or reason and only served to create disorder. If I may be permitted to say, Sir, I may say that the behaviour of Mr. Robertson was most courteous and most orderly on that day, and nobody could take any offence against his behaviour on that day. If it is the duty of the police to maintain peace, if it is the duty of the police to see that no breach of the peace takes place, certainly it was the duty of Mr. Robertson to go there and see that some people who were being threatened in that hall on that day were protected by the police. That, Sir, is the true version of facts that I give to my friends in this House. I am also surprised to hear my friend Mr. Hashemy making statements which are full of untruths, half truths, facts distorted, contorted, and perverted. These are the facts. So far as the general administration of the police is concerned, I am not going to say anything against the statements made by Mr. Hashemy. It has never been my good fortune to have any opportunity of mixing with the police, particularly with the Calcutta police, as Mr. Hashemy has had. I have many things to say against the district police, but this is not the occasion for that. The only point which I want to harp upon and speak upon is the incidents of the 22nd of August, because that was a matter for which Mr. Hashemy wanted to bring an adjournment motion and on which he has spoken a good deal to-day. In his speech, Sir, he has spared nobody to-day; he has even hinted that the Hon'ble Sir Nazimuddin was in some way connected with the visit of the police to the meeting on that day. Nobody in this House can say anything against Sir Nazimuddin so far as the acts of the 22nd August are concerned. Sir Nazimuddin has no concern with the Muslim League, and it cannot be said that he deputed any police officer to the meeting. Sir, if I am informed aright it was the Nawab of Ratanpur who requisitioned the services of the police (Ministerial cheers). There are some members of the Calcutta Corporation, who are also members of this legislature who requisitioned not only the police but also the services of the durwans and motor-drivers of the Corporation and had them posted with *lathis* in hand in order to obstruct members of the Muslim League from entering the compound of the building. It has also been complained, Sir, that the civic liberties of the people have been curtailed. If that is so, Sir, these civic liberties were curtailed not by Mr. Robertson but by persons who engineered the meeting of that day. Civic liberties were curtailed in not allowing people to get into the meeting, and for this, Sir, who were responsible? I do not know if it is my friend Mr. Hashemy, who was present there, or my friends of the Krishak-Proja group, who are sitting over there, I do not know whether it was done by them, but what I know is that the civic liberties of the people were checked. Is there any difference between the police and those people who want to curtail the liberties of

the people and debar them from entering the meeting hall and take upon themselves the role of the guardians of law and order instead of allowing the Police, the Magistrates and Members of Government to do so. (At this stage there were interruptions from the Opposition.)

Well, wait and I shall come to it.

At about 1-30 p.m. myself, my friend Maulvi Abdul Latif Biswas, who, I believe, will speak in this connection, and also Maulvi Sahedali, who is also a member of the League, and others, rode to the place in a taxi and found that the iron gates of the building were kept under lock and key and that there were three up-country men at the gate with big *lathis* in hand. I asked the durwan to open the gates, but he asked me whether we had tickets. I said that I was the Vice-President of the Muslim League and I further asked him to call the Secretary or any other person inasmuch as he would be able to identify me. Some of my friends on receiving this information came out and permitted me to get in, as they knew me. But my companions Maulvi Abdul Latif Biswas and Maulvi Sahedali were not allowed to get in. I remonstrated with the members who were in charge of the affairs of the League and then they were permitted to get in—of course after about five minutes. There was also a large number of *bona fide* members of the League waiting outside at the gate on the open pavement, and though it was raining and they were thoroughly drenched, still the durwan at the gate was at his post preventing particular people from getting inside. After some time we found that Sir Wazir Hassan, to whom reference has been made by Mr. Hashemy, Sir Wazir Hassan, an *ex-Chief* Judge of the Oudh Chief Court, and now the new-fangled friend of the Congress, finding himself upset in his own province of the United Provinces, where he could not convince the members of his own faith to come round to his new faith, came to preach his own faith here in Bengal, at this meeting. Sir, Bengal does not stand in need of a leader to be imported from the United Provinces. Here stands Mr. A. K. Fazl-ul Huq, the acknowledged leader of Muslim Bengal—not of Muslim Bengal alone but of Bengal itself, the whole of it—and we do not require any other leader, whether it be Sir Wazir Hassan or any other person. Sir Wazir Hassan came accompanied by the Nawab of Ratanpur, with some durwans also seated by him in the motor-car, and drove in. And what did we find? As we never had found in any previous meeting Sir, the whole house was packed with up-country Peshwaris—they were mostly fruit-sellers of the Entally Market and the Corporation markets. These gentlemen were never members of the League, but if they were recruited as members of the League only the day previous, I doubt if they paid their subscriptions at all. It was simply pre-organized from before that, they should be present there only to keep out the members of the Muslim League and to have the Nawab of Ratanpur elected as the President and

**Mr. Hashemy** as the Secretary. When we went there we found the hall was packed and we could not find any room anywhere even to stand there. We drew the President's attention to the fact that a large number of the members of the League were being detained at the gate and were not allowed to get in. My friend Mr. Hashemy has stated that the reply that Sir Wazir Hassan gave was to ask the Secretary to go to the gate and permit the gentlemen to get in. I submit, Sir, this reply is only a perversion of truth. The statement made by Mr. Hashemy is not in accordance with the statements published in the "Star of India", "the Basūmatī", "the Advance", or the "Amrita Bazar Patrika". Sir Wazir Hassan said that it was no part of his duty to inquire into the matter and that those gentlemen could apply to the Council of the League who would give them redress. Sir, was there any time to apply to the Council of the League and where was the Council to be found? The meeting was going to be finished in a short time and no redress whatever was to be given. Then, Sir, Dr. R. Ahmed, the Secretary of the League, who was sitting there, was appealed to go to the gate and inquire into the matter.

**Mr. SIBNATH BANERJEE:** On a point of order, Sir. Is the speaker in order in discussing at length the internal economy of the Muslim League?

**Mr. SPEAKER:** As a matter of fact, I have already ruled pointing out to Mr. Jalaluddin Hashemy that any discussion of the internal economy of the Muslim League was not in order, but, unfortunately, he brought in so much of it in his speech that I feel that it is not fair to the other sections of the House, and particularly to those whose names have been mentioned, not to give them an opportunity of discussing that matter.

**Mr. SHAHEDALI:** On a point of information, Sir. Mr. Abdul Bari has stated in the course of his speech that he saw Mr. Sahedali there, I mean at the meeting. Does he mean me?

**Mr. ABDUL BARI:** No, Sir, I did not mean the honourable member, but my friend sitting over there (the member indicated the rear).

Then, Sir, an appeal was made to Dr. R. Ahmed, the Secretary of the League, to go to the gate and ascertain whether the allegations we made were true or not. He, too, Sir, did not respond. At that time a statement was made by one of us, Mr. Syed Badrudduja, whose name is not unknown anywhere in this province of Bengal. Mr. Syed Badrudduja, after making a statement on the floor of the House, walked out, and, Sir, we were threatened, we were "hooliganed" even when the statement was being made, and such a threatening attitude was taken

up by the up-country people sitting there, that we apprehended that the lives of the *bona fide* members of the League might be at stake. I and my friends on this side wonder that no Bengali Muhammadan was found to be there at the meeting because they were not allowed entrance. (Several voices: I was there, I was there). Even so, it was a packed meeting. Of course, some of my friends were there, my friend Mr. Shamsuddin Ahmed was there, but others were not. Even after we had walked out of the hall, what did we find? We found that we were made prisoners, so to say; we were made captives. We felt as if we were in a fort besieged by so many men, for we were not allowed to go out as the door was shut against us. Even some *paschimas*, some up-country volunteers, with *lathis* in hand were posted at the compound walls so that we might not scale them and try to save our lives. That was the position, Sir. My friend Mr. Hashemy was there, and I appeal to him whether even as a colleague was it not his duty to come out and save us from the rough-handling and threatening attitude of the hooligans and up-country men, who were certainly brought out to create confusion and disorder, and save us from their hands? My friend Mr. Hashemy was appealing to the Hon'ble the Home Minister. May I, in turn, not appeal to him to say was it not his duty to protect the lives of his colleagues when they found themselves threatened with rough-handling? There we found that many offences were committed by these men, the hooligans who were brought there. Though cases have been started under section 342, I. P. C., against some men of the other party, I think Mr. Hashemy must thank himself that no case was started by us against any of his men. Further, for his information I might tell him that one of his men, who is a chauffeur of the Calcutta Corporation, was taken away by the police. What business the chauffeur had to go to that meeting? I would ask my respected friend Mr. Santosh Kumar Basu how a chauffeur of the Calcutta Corporation could be utilized in a matter like this. (A voice: Why the market superintendent was there?)

**Mr. SYED JALALUDDIN HASHEMY:** Mr. Syed Badrudduja, the Superintendent of the Entally Market, which is under the Calcutta Corporation, took his men and his chauffeur there.

**Mr. ABDUL BARI:** When we went there, my friend asked a question of the Hon'ble the Home Minister as to who is responsible for posting the police there—I submit that when we went there, at about 1.30 p.m. we found a sergeant there, and on inquiry we came to know that his name was Mr. Gomes. We found also that the services of the officer in charge of the thana had also been requisitioned. Can it be said that the Hon'ble the Home Minister requisitioned the services of the police, or were they not requisitioned by the men who organized the

meeting, because they apprehended that there might be coming a large number of the *bona fide* members of the League? Is it not a fact that their intention was to obstruct certain people from coming to the meeting? They must have envisaged what the situation might be, and in order to safeguard that situation they must have requisitioned the services of police officers.

Of course, we came out afterwards and a meeting was held under my presidency. That is true. There are many members of the Moslem League who ought to know what resolutions were passed in that meeting. Speeches were also made condemning those people who were sitting in the hall and were utilising it by bringing in up-country men and Peshwaris there. My friend has questioned and said that Mr. Badir-uzzaman was again the Secretary—

(The member having reached the time-limit resumed his seat.)

**Mr. SANTOSH KUMAR BASU:** I had no desire to intervene in this debate until I had listened to the eloquent speech of my friend Mr. Abdul Bari. I have listened to the statement of facts given before this house by my friend Mr. Jalaluddin Hashemy and I was waiting to hear the other point of view put by some gentlemen on the other side. The other side of the shield is so essential to be seen in these days before a judgment can be formed that I could not express my views before I had an opportunity of hearing the speech of my friend Mr. Abdul Bari.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Oh!

**Mr. SANTOSH KUMAR BASU:** I do not care to listen to any interjection of the Labour Minister. We are fairly used to this *enfant terrible* of the Coalition Party. I look at him in the light in which he deserves to be looked at.

**The Hon'ble Mr. H. S. SUHRAWARDY:** I bow to the compliment.

**Mr. SANTOSH KUMAR BASU:** Mr. Abdul Bari has sought to make out his case in such eloquent terms that he has altogether forgotten to make out a case for the police. He has regaled us by bringing in the squabbles, the internal squabbles, of the Moslem League between the party in power in the Moslem League and the party which was seeking to be in power arrayed under the banner of Mr. Abdul Bari for the time being. That was the position which Mr. Abdul Bari put before the House as justifying the intervention of the Police and

Mr. A. K. Robertson and his colleagues. I submit that Mr. Abdul Bari's own statement carries its own condemnation along with it. He has sought to make out a case for police intervention but he has succeeded in proving that there were aspirants for entrance into the hall who were refused permission as if that was the last word on the subject which would justify the stepping in of the Police force into the hall and also trying to introduce some members who have been left out, although they had no tickets as Mr. Hashemy has pointed out. We are not concerned as to the claims of these aspirants to gain entrance into that hall. We are not concerned as to the authority of the Moslem League to speak on behalf of the Moslem community in that meeting. All that we are concerned with is whether the police had any pretence or authority to enter that hall where a private meeting was being held. That is the sole question before the House. It is not a question which should interest this section or that particular section of the House, it is the question of the fundamental rights of the people which might affect this group or that particular group which some day might come into power. That is the question which is agitating us. It is not a matter for our consideration as to whether those who were waiting at the door were authorised to enter or not. That is no concern of ours. Mr. Abdul Bari said there were many people waiting outside in the rains and there were many others who could not get out, as there was no outlet and therefore there was justification for Mr. Robertson and his colleagues to go into the hall. That is the issue before the House. I am asking this House in all humility, knowing full well the fate of Mr. Jalaluddin Hashemy's motions, as it usually has been during the last few days, to rise above all controversy and to remember that the fundamental rights of every individual citizen is at stake. As Mr. Hashemy has said the fate which has overtaken the authorities of the Moslem League on this occasion may overcome other groups and other associations when their time comes. To-day the police are allowed to do this when Government think they can probably afford to laugh behind their sleeves at the fate which has overtaken those who had the temerity to oppose the Government party. That is the question which is agitating us to-day. I submit it is a great trial for the Hon'ble Home Minister this afternoon. Tradition has got to be created by him now that his party is in power. Party government and party warfare have for the first time been introduced in this country and the reins of Government have been placed in the hands of those who have a dominating party in this Legislature. Will you on this occasion allow yourself to utilise the police officers at your disposal for the assertion of the power and for the enforcement of the will of the party in power? This great question has got to be faced by the House and the Government, and I beg to remind the Hon'ble Sir Nazimuddin that a great opportunity has come

to him. He may stand up and disown the action of Mr. A. K. Robertson or declare that Government are prepared to own up every act of their police officers, however unjustified that may be. What is the position that he would take up in this House? In the heat and dust of controversy in the din and turmoil of party warfare they must not lose sight of the eternal fact that the police must be kept impartial and their integrity untarnished. Otherwise Government will be reduced to a farce, party democratic government will be reduced to a nullity. I am not charging Sir Nazimuddin with any desire on his part to initiate the move on the part of the police on that day. I am not for one moment suggesting that behind the policeman's baton Sir Nazimuddin's invisible hand was lurking. On the other hand, I am asking Sir Nazimuddin to rise to the height of the occasion and declare once for all that he is not going to own up the action of the police as he is convinced that the police took the side of one party or another. It is a question of the fundamental rights of the people and it is a question of the future of party government in this country, whether the party in power will allow the police to be utilised for their own needs. That is the sole question that is agitating us to-day. Once the foundation of party government is sapped in this fashion, where shall we be? It will be an evil day not only for Bengal but for the Congress majority provinces as well if the dominating political faction is allowed to utilise the police force for a political end. It is a definite clear cut, categorical issue which requires an unequivocal answer from this House. And I ask the Hon'ble Home Minister to rise to the height of the occasion and utilise this unique opportunity to return the only possible answer.

**MR. SPEAKER:** It is my intention, unless the House wants to prolong it unequivocally, to bring this debate to a close at 6-30 p.m. which I think ought to satisfy Mr. Hashemy. He has had more than 2½ hours for the discussion of his motion. I shall, subject to such discretion as I may exercise hereafter, allow 10 minutes time to each speaker.

**DR. HALINAKSHA SANYAL:** May I submit that this debate may be closed at 6 p.m.?

**MR. SPEAKER:** That, I think, will not be fair. Unfortunately, Mr. Hashemy brought in the names of so many members that I must give such members as were named, according to parliamentary tradition, opportunity to speak.

**MR. M. SHAMSUDDIN AHMED:** Mr. Speaker, Sir, I feel it my duty to express my opinion on the fundamental question of right of

citizenship that has been raised on this occasion in this House. I was listening with rapt attention the speech of my learned friend Mr. Abdul Bari who is an eminent lawyer. He has tried to make out a case for the police action; but not only has he been unable to make out a case but he has entirely spoiled his case.

It is published in the newspaper, Sir, that these gentlemen went inside the hall and put some questions but when those questions were disallowed they came out of the hall and held a meeting outside, I believe, under the presidency of my friend Mr. Abdul Bari and transacted some business. This is what their report says. I do not understand how he says now that he entered the hall along with others and found there Peshwaries and hooligans inside but there was no Bengalis and others. He said that there was no time for redress, but, Sir, there was time enough for Mr. Bari and others to go out of the hall and hold a meeting. I do not understand all this. Am I to understand that Mr. Robertson was requisitioned at the request of Mr. Abdul Bari or his friends? It is not the question whether he brought Mr. Robertson or not. But it is the question why he was brought to a place where a private meeting was going on peacefully. Then, again, Mr. Abdul Bari said that Mr. Robertson was courteous: I am not going to discuss whether he was courteous or discourteous. What I am going to ask is why was he there? Who sent him there? It was a private meeting open only to members and no outsiders could be allowed to enter the hall without the permission of the president or the men in authority. May I know, Sir, who sent Mr. Robertson and his men there? It reminds me of that famous occasion when King Charles with sergeants at arms and other people entered the Parliament House and cleared the hall. Am I to understand that when you Mr. Speaker and we are discussing this question and other questions we should be attended by sergeants at arms?

**MR. SPEAKER:** You can leave me out of this.

**MR. M. SHAMSUDDIN AHMED:** I cannot leave you, Sir. It is a fundamental question that affects the right of every citizen. To-day it affects me: to-morrow it may affect you, to-day the police entered the hall, to-morrow they may enter our private houses: it affects every one of us. What I say is this: was there any occasion for Mr. Robertson to be there? I say there was none: there was no occasion for any police officer to enter the hall and ask the people, peaceful people, to disperse. We persistently protested and said that it was clearly no business of police officers. It is clearly a question of fundamental right of citizenship and Mr. Robertson, or Mr. Colsoy, or anybody else had no right to enter the hall and behave in the manner in which Mr. Robertson behaved that evening. (Interruption.) You

are talking of murder. Well, I have not heard any murder being committed there or any sword brandished against Mr. Abdul Bari. I know this, Sir, that a peaceful meeting was going on when—

(Cries of “no, no”) Shouting won’t stop me. I know that when protests or objections were raised and when the President disallowed these objections they came out in protest. I cannot understand under what pretence, under what authority and according to what law Mr. Robertson went there with his staff of sergeants and constables. There was no civil disobedience movement and there was no volunteer organisation which was declared unlawful. We were having a peaceful time, and everybody was living peacefully and was exercising his civic right and I do not know under what authority Mr. Robertson could go and enter the hall. He had not only interfered with the fundamental rights of the Bengal Presidency Muslim League but encroached upon the civic rights of the citizens of Bengal. If things go on in this fashion the people of Bengal will never be able to enjoy the right of citizenship. With these words I enter my protest against the conduct of the police and Mr. Robertson who entered the hall and dispersed the meeting in that fashion.

**Khan Sahib Maulvi SYED MUHAMMAD AFZAL:** Sir, I happened to be in the meeting and I feel it my duty to disclose to the House the full facts. Sir, myself and Maulvi Mozammel Huq went to the meeting and when we wanted to enter the hall some durwans armed with *lathis* did not allow us to enter. I think that it was pre-arranged that the Muslim League meeting should be attended by some hooligans and by some non-members of the League and I think the Hon’ble Nawab Sir K. G. M. Farouqui—I am mistaken he is not Hon’ble now—Sir K. G. M. Farouqui arranged the meeting only for the purpose of being the President of the Bengal Muslim League. The Nawab Sahib well knows that in a meeting which is attended by *bona fide* members he will not be able to become the President and he thought, as he always thinks it fit, that the meeting should be attended only by members who will support him and whose support he can expect.

Sir, it was raining heavily and some members of this Assembly took their stand on the road. Though some of the M. L. A.s on the opposite side were standing and saw their colleagues in the rain they did not think it their duty to ask the durwans to open the gate and allow them inside for fear that they will be defeated in that place. Sir, we went into the hall and a protest was made by Maulvi Badrudduja which was of no use and we left the hall and a meeting was held under the presidency of Maulvi Abdul Bari and resolutions were passed. Thereafter the hooligans who are ill-tempered, hot-tempered, fell upon the volunteers and some *bona fide* members and assaulted them. Then

we cried for police help and after a few minutes Mr. Robertson with some sergeants entered the premises and we thought that we were safe and tried to take part in the proceedings. We were in a majority and Nawab Sahib K. G. M. Farouqi thought—

**Mr. SPEAKER:** I thought you were discussing on facts and not on inferences.

**Khan Sahib Maulvi SYED MUHAMMAD AFZAL:** Sir, we appealed to the Nawab Sahib who took his seat on the dais but we did not get any reply from him. When he was convinced that it was practically impossible for him to become the President all the members who took their seats before us stood up and became turbulent and attacked us. We cried for police help and at that time Mr. Robertson came in and helped us and at that very moment when the meeting was absolutely uncontrollable by the President he dissolved the meeting at once. Thereafter we found that some resolutions were passed in which Sir K. G. M. Farouqi has been made the President and my friend the renowned Councillor of the Calcutta Corporation has become the Secretary of the Muslim League of Bengal. Sir, every now and then a resolution of this nature will come before the House because my friend the mover and his supporters are frightened at the sight of the police and they think that provincial autonomy means hooliganism and rowdism.

**Mr. M. SHAMSUDDIN AHMED:** Is not the honourable member casting reflection on the members sitting on this side of the House?

**Mr. SPEAKER:** I have not noticed any reflection on the members of this House.

**Khan Sahib Maulvi SYED MUHAMMAD AFZAL:** Sir, now Mr. Robertson requested all the people in the house to clear out as he apprehended some serious disturbance and we also with his help came out.

Sir, my friend Mr. Shamsuddin was saying about the right of citizenship. According to him we are not entitled to enjoy the right of citizenship and it is only for them. It seems only reserved for those who have practically known it after being held up under this section or under that section. Supposing there was a murder committed in this House, according to Mr. Shamsuddin the police could not interfere with the right of citizenship and it was out of their jurisdiction to take any action in the matter. Practically, Sir, there was rowdism there and our lives were in danger and Mr. Robertson was entitled and justified to enter the hall and save us from the situation.

With these few words Sir, I oppose this motion. I had a mind to move a censure motion against Mr. Robertson only for the reason that he did not take such drastic measures as the occasion demanded.

**Mr. ABDUR RAHMAN SIDDIQI:** Mr. Speaker, Sir, I would not have intervened in this debate because I feel ashamed of the washing of dirty Muslim linen in the presence of those who would enjoy our discomfiture. Inspired speeches to which we have been regaled to-day, especially the one from the mover of this cut motion, leave me cold. I wish there were something original in it: I wish he had at least stuck to the truth: He evidently "judges others" according to his own standards and, therefore, one might perhaps forgive him the improper insinuation he has made against my honourable friend from South Calcutta and myself. Sir, a great opportunity is being lost to-day. I was hoping that the cuts on the police demand would be discussed from a higher standard, and in a really vigilant manner with a view to safeguard the interests of the citizens of this Province. There has been talk of terrorism in Bengal but I have always felt that there were not one but two terrorisms in Bengal. They have been talking of the rights of speech and association of the citizens. The hon'ble member, the ex-Mayor of Calcutta, who supported the motion, even he could not get out of the questionable methods of people who now claim to speak for and in the name of the Muslim League. Sir, one cannot really use language which you might call parliamentary for these worthies who, to-day speak as the Champions of the Muslim League which they were maligning only yesterday. This attitude on their part is an insult to one in my position who has been associated with the Muslim League from its very inception at Dacca in 1906. These people, when the time came to render service to the Muslim League, one and all became renegades, and traitors, and now they are talking about the Muslim League and even brought Sir Wazir Hassan whom I have known from the day he was the Assistant Secretary of the League to give dignity to their proceedings. These people who now claim to speak in the name of the Muslim League and the Bengal Presidency Muslim League are out of court because they have not come to this House as Muslim Leaguers and therefore they cannot speak in this House in the name of the Muslim League.

Sir, the insinuation made was that I and my hon'ble friend from South Calcutta entered the hall under the protection of the police leading some sort of a procession. Political capital is being made out of this incident in a low, mean and dirty manner. Had the mover of this motion known half the incidents of my life even he would have considered it below his dignity to have made such an assertion.

**Mr. M. SHAMSUDDIN AHMED:** On a point of order, Sir. Is the honourable member in order to say low, dirty, mean manner? Are not these unparliamentary expressions?

**MR. ABDUR RAHMAN SIDDIQI:** I would say "most honourable" if they want me to call it so.

The mover of the motion honoured me, in the beginning of his speech, by calling me "Comrade." I accept the designation. Yes, I am a comrade of every Muslim, of every Indian who really does put up a fight for a good cause in an honourable, in a gentlemanly way. Sir, these gentlemen, the mover and his friends in the Hall of the meeting, for reasons best known to them were behaving in a manner which cannot be characterized as anything but improper. I will not go into details, but I will relate one or two incidents. I went up to the Secretary of this so-called Bengal Presidency Muslim League and said to him "What does the presence of the Police mean?" "Can we not conduct our own meetings?" While I was talking to him the son of the newly elected patron saint of this Muslim League came up to the Secretary and asked him to ask the police officer to arrest those who did not agree with him. I turned round and said "I am ashamed of you for bringing the police here." While this was going on one stalwart, a colleague of the mover who talked so much of the rights of citizenship, stood up on a chair and begged the police officer in his nice Bengali way "Sar Sar, please arrest him." If the mover of this motion can prove that Mr. "Comrade" Abdur Rahman Siddiqi and Mr. Ispahani went under the shadow of this police officer—(A voice: Are we not allowed to speak in Bengali accent?) Well, I can at least talk English well. I at once got hold of the young man, and said to him: "For God's sake keep quiet." I turned to the Secretary of the Muslim League and inquired why the police officers were there and who had called them? Much capital has been made of the presence of the police in the hall but the mover did not tell us who called these men there. Sir, I am a member of the Council of the All-India Muslim League and also of the Central Parliamentary Board of the All-India Muslim League, I am also a member of the Bengal Parliamentary Board, and a member of the Council of the Bengal Presidency Muslim League, but I received no card. Sir, I may inform my friend that I saved Sir Wazir Hassan from being attacked. I went up to Sir Wazir Hassan and said to him, "This is no place for you." Sir Wazir Hassan was good enough to take my advice and quietly went away. I am told they had another meeting. I received no card, no invitation or notice, although the Secretary had promised to let me know if a meeting was held. The *bona fides*, the honesty and the political methods of the mover are questionable. I defy and challenge him to prove that Mr. Ispahani and I entered the hall under the protection of the police officer. The real fact of the matter was that the mover and his party and those who were opposing them, were one party not very long ago. Now they are divided. Feelings ran high and there was great confusion. Sir, I do hope that this House when discussing important motions connected with the administration of the police will not sink to the depths the mover has tried to drag.

it to. Let us fight our League battle if you choose, in a drawing room in Canal Street. But in this House let us keep up a higher standard, let us fight for Bengal and let us, for goodness sake, keep up the reputation of this House.

**Mr. SPEAKER:** A point of order was raised by Mr. Shamsuddin Ahmed. I think it is fair that I should explain the position in spite of the fact that Mr. Abdur Rahman Siddiqi has withdrawn his remarks. I was very carefully following Mr. Abdur Rahman Siddiqi's remarks. He was not referring to any member, but if by any chance he referred to anybody of persons outside the House without naming them that their political motives are dirty and mean, I do not think that it is within the jurisdiction of the Speaker to stop him from making those remarks. I would have certainly stopped him if he had made any reflection on any member of the House. But I found that Mr. Siddiqi was quite within the limits of not referring to anybody in particular, even though one could draw the conclusion that he probably might have meant some of the members but he did not specifically mention anybody.

**Mr. M. SHAMSUDDIN AHMED:** We thought that he referred to these people and these men.

**Mr. SPEAKER:** When a man in addressing any officer or a superior officer makes a personal reflection, I am bound to stop him. If Mr. Siddiqi referred to any person as mean, I would have stopped him, if he is a man of that position. But if he attributes motives to a political organisation, I do not think it is for me to stop him.

**Dr. NALINAKSHA SANYAL:** May I rise on a point of order. I do not know if I have heard that only protection will be given to men of position?

**Mr. SPEAKER:** No, I would certainly give the same protection if he referred to any one in that position. I want to close this debate and if members do not rise early to speak I am sorry I shall not be able to allow them to speak.

**Mr. M. A. H. ISPAHANI:** Sir, I will only take two minutes. I have heard the speech of the Muslim member from Khulna. Sir, I did not think that a responsible person or a person who claims to be responsible could have made such grossly irresponsible utterances on the floor of this House this afternoon. His insinuations, Sir, if I am permitted to say, are not becoming of a gentleman.

**Mr. SPEAKER:** Order, order, Mr. Ispahani, you must withdraw your remarks.

**Mr. M. A. H. ISPAHANI:** I am sorry, Sir. I withdraw my remarks. But what I meant to say was that a person, who has a responsibility and as a member of the Legislature claims to be responsible, should not level such violent charges against other responsible members of this House. His insinuations, I may assure you, Sir, are incorrect. I am very glad that my friend, the representative of the Muslim Chamber of Commerce, has at length explained exactly what took place. Sir, we entered the building and found Mr. Robertson there. Sir, I cannot forget the sight that I witnessed on entering the Dental Hall. There was a big batch of Peshwari hooligans, Calcutta Corporation lorry drivers and Corporation traitors, such as the mover himself. I make the statement with a full sense of responsibility and I found that they had turned out some members whom I recognised to be the members of the Muslim League. I found that the attitude of the crowd inside the Hall was of a very dangerous and threatening nature. But in spite of this I did not appeal to Mr. Robertson to intervene or to arrest anybody, nor did Mr. Robertson intervene or make any arrest. On the contrary, I stood upon a chair quite close to Sir Wazir Hassan and appealed to those who were present in the meeting to curb their temper and resume their seats in order that Sir Wazir Hassan might be given an opportunity to express his views, because I felt that as he had come to Bengal he should have an opportunity of expressing his views. He might have entered Bengal on the invitation of Sir Mohiuddin Farooqi, but the real leader of the Moslem League in Bengal had not extended to him an invitation and he was therefore unwelcome to our Province. If the police had intervened eventually, and I notice that they did not intervene, they had done it rightly and I support their action. (Here, hear.) Sir, it is not proper to allow a big batch of hooligans to threaten respectable men with *lathis* and fists. Sir, there would have been a definite breach of peace and serious assaults would have been committed had not Mr. Robertson intervened. The very sight of Mr. Robertson restored order and the member, who took 20 minutes of this House in delivering his speech, sat absolutely silent in a quiet corner, well protected. It might be that he made feeble protests which hardly reached my ears. However, Sir, I assure the House that I did not participate in the goondaism which the member from Khulna has attempted to suggest, because I feel that by insinuating that I arrived at the head of the police constables he tried to convey to the house a wrong impression. I am capable of looking after myself and can protect myself without any police help when necessity arises.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, I am sure no Minister or Member has ever been in an unfortunate position as I am in defending the action of the police. Whenever allegations are made against the police the reply is that the Minister or the Member has got his facts from the police and therefore they may not be relied upon.

But to-day, Sir, the House has heard the members of this House giving their evidence in support of the action taken by the police and they have heard member after member getting up and declaring that the police intervention was almost a God-send and providential. The police received information that some of the men had been locked in and were not allowed to go out and there was a danger of these people being assaulted and seriously assaulted. It was on receipt of that information that the police with Mr. Robertson went there to bring them out and that was the sole object of police intervention and this has been corroborated by what has been stated by Mr. Abdul Bari, Mr. Afzal and; I believe, some other members of this House. Need I say anything more than Mr. Bari had said? If I may repeat what he said, it was this: the people, who were inside the hall and unfortunately were not allowed to go out, were prevented from going out, as some people were posted on the ground to stop them from climbing out of the windows. This sort of information was given to the police and they went there, and that is all.

**Mr. SANTOSH KUMAR BASU:** Who sent this information?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** It is immaterial who has sent the information but the fact remains that the police received that information and went there. Whether the facts are correct or not, we have got the testimony of several members of this House on that point.

**Mr. SHAMSUDDIN AHMED:** Will the Hon'ble Minister please say who asked the police to enter the hall when the meeting was held?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** People who were inside the hall, it was they who asked for rescue; and those outside knew that people inside were not allowed to come out, and it may be that those who were inside the hall may have been assaulted, and it was on this information that the police received, that they went there.

**Mr. JOGESH CHANDRA GUPTA:** Was this information recorded in the thana diary or recorded anywhere?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I don't like to be cross-examined, Sir. The statements are there. We have the testimony of several members of this House as to what happened there, and I do not see whether any useful purpose will be served by going further into this matter. But there is one thing which has been mentioned by Mr. Hashemy and to which I should like to refer. I think Mr. Hashemy assumes too much when he thinks that members of Government pay any attention to what he says outside the precincts

of this House. Members of Government do not pay any attention whatsoever to what he says elsewhere; they are concerned only with what he says here on the floor of the House.

There is just one other thing. It is this that Ministers are always responsible for the actions of their officers when they support those actions. It is only in cases where they are not aware of the facts or where they do not support the actions of their officers that they take action against them. There is a distinction between the policy and the action of the officer concerned, but I think the Minister in charge is always responsible for the actions of an officer if he supports him.

With these words, Sir, I oppose the cut motion moved by Mr. Syed Jalaluddin Hashemy.

The motion that a sum of Rs. 2,09,08,000 under the head "29—Police" be reduced by Rs. 100 was then put and lost.

**MR. P. BANERJI:** Sir, I beg to move that the demand of Rs. 2,09,08,000 under the head "29—Police" be reduced by Rs. 100 to criticise the policy of Government's interference with legitimate and peaceful demonstrations and meetings of different organisations.

Sir, every sensible man must admit that all demonstrations are legitimate, provided that there is no violence (The Hon'ble Mr. H. S. SUHRAWARDY: Oh, no, no. Where did you get that?) Particularly in this country where people are slaves and unarmed: Peaceful demonstration is the only means of drawing the attention of Government and also of the public to the grievances of the people. Now, Sir, a policy has now been adopted of stopping all demonstrations in this country. Sir, good Government is government of the people, by the people, and for the people. A good government cannot ignore the feelings or expressions of public feeling by peaceful demonstrations. We know from past experience that during the I. C. S. *raj*, practically that was another name for police *raj*. We have made so much of this change in constitution, and with the inauguration of these Reforms people naturally expected that there should be a change of policy also. They expected that they must be freed from the I. C. S. and police abuses, but they are now hopelessly disappointed. The other day, Sir, I made use of an epithet to the effect that this constitution was like wild wine in a new bottle but with a wrong label, and I now find that the substance of that expression has come to be true. There is the same state of affairs; the old administration is still continuing in spite of the fact that so much has been made of the Reform and so much assurance has been given by the Hon'ble Minister in charge of the Police and also by the Hon'ble the Chief Minister. Sir, a change there has been, but I consider, as it has been rightly pointed out in an earlier part of the debate by Mr. Hashemy, that that change is for the worse, in the sense that there have been more atrocities, more police excesses

now than it was during even the heyday of non-co-operation and civil disobedience movements. (The Hon'ble Mr. H. S. SUHRAWARDY: We have forgotten those days.) In those days people were subject to torture and police excesses but not to the degree that people were subjected to only the other day on the Strand Road. The Hon'ble Mr. Suhrawardy, I find is laughing, but he was not present that day in the Strand Road. I do consider that it is regrettable that even the present administration does not believe the statements made by eye-witnesses and by some prominent members of this House. I know that the Hon'ble Mr. Suhrawardy—or for the matter of that any member of Government of to-day—will not take any notice whatsoever of these things, or rather will not give any credence to anything that comes from this side of the House. That is, Sir, the greatest misfortune of the country. Therefore, I am submitting that the old order is still continuing, viz., the policy of giving credence and listening to whatever statements are made by the police. It is a well-known fact, Sir, that the police stands condemned in the eyes of the people of this country. None of their statements is believed by anybody except by the bureaucratic Government. But I thought, Sir,—and everyone naturally expected—that there would be a change of policy. Now, Sir, the other day this matter was specially discussed in an adjournment motion, and Government's view was that those processionists were going to break the law. I was an eye-witness of the scene. I was standing at a distance that day when coming to the Town Hall meeting. And what I noticed that day—perhaps some of my friends here were also there and may have noticed—that about 1,000 police were all around the place. There were sergeants, prison vans, all around. Then there were also the Deputy Commissioner, the Assistant Commissioners, and the Commissioner of Police, as if the whole police regiment came out of Calcutta and were stationed there in order to break this demonstration—a demonstration which was all along peaceful. Now, Sir, may I know the reason for this? The Hon'ble the Home Minister the other day definitely explained that Government had no object in putting down demonstrations of a legitimate and peaceful nature. May I inquire of him, Sir, if he is dependant on statements of the police or should he rely on the statements of honourable members of this House. Sir, what was the position? The position was that young men were brutally assaulted. Ladies also were thrown into prison-vans like so many sacks of sugar; in fact, they were roughly handled. And, Sir, for what offence? Their only offence is that they wanted to proceed—

**The Hon'ble Mr. H. S. SUHRAWARDY:** On a point of order, Sir. My honourable friend is repeating the self-same incidents which formed the subject-matter of an adjournment motion in this House the other day. If he has anything new to say on the general principle of peaceful demonstrations, then that is a different matter, but if he confines

himself to a matter which has already been discussed in this House, then I submit he is out of order.

**MR. SPEAKER:** The difficulty is that, so far as the present motion is concerned, it is not a restricted motion like the previous one which discussed police measures in Calcutta. But this motion is for criticising the policy of Government's interference with legitimate and peaceful demonstrations and meetings of different organizations. If along with it he puts forward arguments used in a previous motion, then I cannot rule him out of order.

**RAI HARENDRA NATH CHAUDHURI:** It is only, Sir, by way of an illustration that the honourable member was referring to the incidents of that day.

**MR. P. BANERJI:** It is my experience, Sir, not only in this House but also in the old Council that it was the practice of Mr. Suhrawardy to stand up to interrupt the members and thus waste the time of this House by rising to points of order. (The Hon'ble Mr. H. S. SUHRAWARDY: But in the present case it was a legitimate point of order.) But I do not reply to his points of order. The other day he wanted to teach us manners. We often ignore his remarks, for we know his position. Here I cannot express any new thing; I shall only restrict myself to the demonstrations on that particular day. He knows that very little time was given to the members of this House for that day's debate, and therefore the whole aspect could not be discussed within the time. I have submitted at the beginning of my speech that no Government has any right to stop such demonstrations.

(At this stage Mr. Speaker left the Chair, which was taken by Mr. Sarat Chandra Bose.)

I was just suggesting to the Hon'ble the Home Minister whether it was fair on the part of Government to allow the police to harass innocent people, to let loose the police on innocent boys and women in this way. Mr. Suhrawardy did not see the incidents, nor the Hon'ble the Home Minister himself. Now, Sir, that was the situation that was discussed. Even the highest of the autocrats always justify their autocracy. Instances are many—and we can multiply them—of autocrats justifying themselves, for example in Russia, in Turkey, and in Ireland, the Czars, the Sultans and the British Government justified themselves. The aristocrats always justify their autocracy, but, Sir, what has been the result? The result has been the absolute failure of their administration like a pack of cards. I was trying to draw out this lesson and I was aiming at that. The Hon'ble the Home Minister said that with the change in administration the people will have new opportunities thrown open to them of controlling the police. The

Hon'ble the Chief Minister, whom I do not find in his seat just at the moment, he too said the other day that they were but the servants of the public, and that they were placed in their positions to rule the country, and that they must rule it. We have no objection, Sir, to their ruling over us, but have we no right to inquire whether they will rule the country properly or misrule it? This is the point which must be considered a hundred times, viz., to ascertain whether the present Government will rule the country or misrule the country. That is the point which I want to raise and which must be emphasised. I want to know, Sir, whether Government is there to rule or misrule. We have noticed that Government failed and failed miserably in running the administration of the province. In spite of the fact that the members of the Congress by their efforts, by their sacrifice have succeeded in bringing about a change in the administration, they have always been the target of attack by those who are reaping the fruit. It is a misfortune, Sir, that they are tying the hands that give them food. We would like to see a change of policy for which we strove so hard year in and year out (Question). You may say what has the Congress done for the country. My reply is Congress has brought in a larger number of members in this House and has given the administration in your hands.

**Maulvi ABDUL BARI:** On a point of order, Sir. Is my friend preaching what has been done by Congress or is he discussing the current motion that he has moved.

**Chairman (Mr. Sarat Chandra Bose).** As soon as I find the member deviating from the motion I shall stop him.

**Mr. P. BANERJI:** Now, Sir, if this policy is pursued, I warn the Government that there may be retaliation from the members of the public. Members of Government have often said that they have succeeded in checking the terroristic movement and now the atmosphere is very calm. But may I ask what will be the result of this sort of repression and excesses by the police. The Hon'ble Chief Minister the other day said that we were inciting the people to violence. I say that the charge lies on the other side. People expected that with the inauguration of the new constitution, things would change, but we regret to find that the change is for the worse. If public demonstrations are made impossible, our young men will take lessons from the history of the west, I mean of Europe, where a King was beheaded because he was unfit to govern and take the law into their own hands.

**The Hon'ble Mr. H. S. SUHRAWARDY:** It is a great pity: this amounts to an indirect incitement.

**Mr. BARADA PROSANNA PAIN:** There is a saying in English that coming events cast their shadows before. It is a happy augury for the future that the leader of the Congress Party is in the Speaker's chair when the police budget is under discussion.

In supporting the cut motion of my friend Mr. P. Banerji, I will say at the outset that I was alarmed, very seriously and definitely alarmed at what the Hon'ble Home Minister told us on the floor of the House last night, that he took full responsibility for the action of Mr. Robertson with regard to what took place at the meeting of the Moslem League on Saturday last. Sir Nazimuddin has a habit, a characteristic habit, of sticking to his gun, and notwithstanding the opportunities given to him last night by the Speaker, and notwithstanding the mild admonition which fell from the Speaker's lips, he held to his position that the Home Department approved of the actions and conduct of Mr. Robertson at the Moslem League meeting. Sir Nazimuddin is, I understand, a barrister, a barrister out of practice—

**The Hon'ble Mr. H. S. SUHRAWARDY:** He was never a practising barrister.

**Chairman (Mr. Sarat Chandra Bose):** I shall not allow any member to make running comments.

**Mr. BARADA PROSANNA PAIN:** Mr. Suhrawardy cannot help himself. That has been his habit in the past, that is his habit to-day, and that will be his habit in future.

**The Hon'ble Mr. H. S. SUHRAWARDY:** I entirely accept your rebuke but a statement like this that Sir Nazimuddin is out of practice may mean exactly what is not a fact and may lead one to make a comment of this nature without much habit.

**Chairman (Mr. Sarat Chandra Bose):** The Hon'ble Minister raised something which is not a point of order and I think he will assume that the Chair knows a little bit of English.

**Mr. BARADA PROSANNA PAIN:** Even so, Sir, even though Sir Nazimuddin is out of practice, he ought to have realised the full implication of his statement. Sir Nazimuddin ought to have realised that in saying what he did, he accepted and he means to accept in future all errors of omission and commission of which individual police officers will be found guilty in their dealings with the public or individuals or public organisations. During the last few weeks many reputations have been made and lost on the floor of this House. The Hon'ble the Chief Minister has established for himself the reputation of being the most

reckless and most extravagant speaker existing in this House and he reached the climax when on Saturday last he said that he found nothing objectionable individually in the lotus and Sree which are in the University crest but he thought that the combination of the two was dangerous.

**Chairman (Mr. Sarat Chandra Bose):** Mr. Pain, you are deviating from the motion under discussion.

**Mr. BARADA PROSANNA PAIN:** The Police budget reveals the extraordinary fact that out of Rs. 12½ crores which is the revenue of this province, Rs. 2½ crores are spent on the police, a little under one-fifth of the total revenue. Rs. 40 lakhs of this is absorbed by the Calcutta Police and some portion of it, I understand, goes to Mr. Robertson whom I saw enjoying the debate not long ago from the gallery of this house. Out of Rs. 40 lakhs which the Calcutta Police absorbs, Rs. 4½ lakhs go to the sergeants but I have not yet heard, and I would be glad to hear the Finance Minister or the Home Minister say that in future, sergeants in the Calcutta Police would be manned by Indians—Moslems and Hindus. I expected a pronouncement like that when the Chief Minister was giving all sorts of assurances, assurances the real value of which we understand. Out of Rs. 2½ crores which are given to the Police, the Criminal Intelligence Department absorbs, I find, something like Rs. 17½ lakhs. Special Police is given Rs. 5½ lakhs, Eastern Frontier Rifles whose existence as part of the Police force of this province is due probably to the fact that they can shoot with deadly accuracy when occasion arises, get Rs. 4½ lakhs but there is a yet more startling figure, namely, allowances to police officers on which Rs. 20 lakhs are spent. Even more startling than this is the provision for "Other contingencies". Heaven alone knows what these unnamed contingencies are. They absorb Rs. 18½ lakhs.

At this stage the House was adjourned for 15 minutes.

*After adjournment.*

**Mr. BARADA PROSANNA PAIN:** Sir, I was giving the House some figures about the expenditure which is incurred in maintaining the police in this province. I have mentioned the sum which is absorbed by the Calcutta Police; I have also mentioned the sum which is absorbed by the Criminal Intelligence Department and I have also mentioned the sum paid in "Allowances", Rs. 20 lakhs and in other contingencies; rupees 18½ lakhs. I confess, Sir, that I am somewhat puzzled by these "Other contingencies" and do not understand how such a huge sum of money as 18½ lakhs of rupees could be spent on unnamed contingencies. There are two contingencies which we know

of in connection with the work of the police—the contingency of breaking heads and the contingency of pointing *lathis* vertically at the breasts and heads of little boys and girls of this town. Do I understand, Sir, that the Hon'ble Finance Minister has provided this huge sum of 18½ lakhs of rupees for contingencies like these? Do I understand also that the sum of rupees 20 lakhs is paid only to the superior police officers as allowances? We all know, Sir, the kind of work which is popularly believed to be done by officers and men of the Criminal Intelligence Department. One of their principal items of work is to attend political meetings and take down notes mostly incorrectly—of what is said and done at those meetings and on these incorrect notes are founded pompous trials for sedition and other offences under Indian Penal Code and other Acts. We know further that the officers of this department rely considerably on the information which is given to them by spies, by informers, by watchers and all the rest of them, and I know personally of several cases where informers were put up to invent cases so that the C. I. D. might justify their existence in that particular part of heaven's creation. There can be no denying the fact that there have been cases where when terrorism was at a discount and no fresh outbreaks were happening, *agents provocateur* was set loose for the purpose of creating terrorism, and if such a sum of money as rupees 18½ lakhs is put in the hands of the C. I. D. people, *agents provocateur* will not come in singles but they will come in processions.

With regard, Sir, to what took place within 100 yards of this House on the 14th August last, I say in all sincerity that the Hon'ble Home Minister threw away the chance of his life-time on the 16th instant last when the adjournment motion on this matter was being debated in this House. He threw away the chance of enthroning himself in the affections of the members of the House and in the affections of the larger people outside. If he had got up and said that he sympathised with the poor little boys and girls who were roughly handled, if he had got up and said that there would be no more insults offered to Congress or National flags, if he had got up and said that steps would be taken to see that incidents like that which then happened will not happen again, we would have cheered him to the echo, the adjournment motion would probably have been withdrawn and Bengal would have begun to breathe in peace. Instead of doing that, Sir, what he chose to do was to defend the police; what he chose to do was to base his case on incorrect and untrue statements of facts. We find the Press Officer, saying in his press note that the people in the procession were providing themselves with soda water bottles, but we were amazed to hear the Hon'ble Sir Nazimuddin say on the floor of the House that soda water bottles were actually hurled at the members of the police and that they were injured thereby. Here, in this House, we expect the Hon'ble Home Minister to place before us statements of facts which can be regarded as

sacrosanct, but if instead we are allowed to go away from this House hearing from his statements of facts, which are prima facie untrue, I submit that we have every right to say that we are not being treated fairly by the Hon'ble the Home Minister. The Hon'ble Home Minister further said that there was no question of insult being offered to Congress flags. Can it be denied to-day that the sole purpose behind the activities of the police on that day was not to allow flags to go unfurled with the procession. I will respectfully ask the Hon'ble Home Minister to take a copy of the Calcutta Police Act home to-night and to read not very many sections but only section 62A of that Act and the Hon'ble Home Minister will find to his amazement that the order of the Commissioner of Police with regard to the banning of the procession on the 14th August or on any other day was an absolutely illegal order. The Hon'ble Home Minister has told us that the procession on that day was entering a prohibited area. If the Hon'ble Home Minister will look up the order of the Commissioner of Police he will find that he was purporting to issue an order under clause 4 of section 62A. Clause 4 of section 62A does not entitle the Commissioner of Police to pass an order prohibiting—

(At this stage the member having reached the time-limit resumed his seat.)

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, the mover of this resolution has mostly confined himself to the incidents that took place on August 14th and the last speaker also has dwelt at length on those very incidents. That question was discussed at length in this House only about a week ago but I would like to repeat again what I said then, namely, that the police had no option but to take action because the processionists insisted on going and breaking the rule. There are two things in this connection: first, that they insisted on going to the Town Hall in a procession. This was definitely against the order (A voice: Illegal.) that had been promulgated by the Commissioner of Police under the authority of the Local Government. If the order was illegal there are Courts for taking action and I am sure no one would dare to test that.

**Dr. NALINAKSHA SANYAL:** Did we hear the Home Minister to say nobody "dare" or "care"?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Both "dare" and "care" (laughter).

We are convinced that the order was not illegal and that it was absolutely correct. Sir, after the police had stopped the procession the processionists sat down on the road and they were allowed to sit down for about an hour. It was a main thoroughfare and the processionists were obstructing the traffic. After an hour the police gave

them five minutes' time to disperse and when they failed to disperse an attempt was made to push them back and it was only when brickbats started to be thrown at them that the processionists were dispersed by force. I may tell the House, Sir, that although, as Mr. Pail has said, the temptation may be very great at times to make statements which will be popular and which may induce members to withdraw adjournment motions, but when one is placed in a responsible position he has to discharge his duties, although it may sometimes be unpleasant. If those who have been entrusted, specially subordinate officers, discharge their duty properly then it is the bounden duty of the Minister in charge to give them their full support.

On that occasion from the reports that were received, we were satisfied that the police officers who were posted there had no other option but to take such action as they thought necessary. It was very unfortunate, and not only we but also the police officers deplored the force that they had to use. But when people, knowing that there was such an order, knowing that they would not be allowed to proceed in procession, insisted on doing something which was not right, then it was merely asking for trouble. After that, there was a notice that there would be other processions. Government again drew the attention of the public and those who were organising the meeting that if they would only ask for permission, permission could be given on those days on which the Legislature was not sitting to go in procession to the Town Hall. I would like to ask the members of this House,—is it fair on their part to criticise the action of the police or the policy of Government, when opportunity was given to do a thing by taking previous permission? If people refuse to do a thing in a legal and proper manner, and insist on doing something which is not legal and proper, then how can Government be held responsible for it? I admit that a big department like that of the police is not perfect; I admit that there are abuses; but they are human beings; they sometimes make mistakes—sometimes these are serious and sometimes trivial; but I can give this assurance to the House that if they do something wrong, improper or illegal, Government will take every possible step to rectify that wrong and to punish the wrong-doer. At the same time, this House would like to give an assurance to the police force that so long as they carry out their duties in a proper, legal and correct manner, they will receive the support of Government as well as of this House. If that is not done, it will be impossible to maintain discipline in the force.

I would appeal to the members of this House to realise that after all, so far as those disturbances were concerned, the police had a very difficult and unpleasant task to perform. They do not relish the use of *lathis* nor the use of force but they have to do it only because they

have got to carry out their duties, and therefore they should be expected to count on the support of this House when they discharge their duties properly.

Then, Sir, a question has been raised about reduction of expenditure of the Intelligence Branch. I do not think it is fair at this time to ask Government to reduce the expenditure of the Intelligence Branch. In pursuance of the wishes of the members of this House and of a strong public opinion outside, Government have adopted a bold policy for the release of detenus. There will be a considerable saving at the end of the year on account of the policy which Government have announced—I mean that the expenditure on the detention of detenus and their allowances is bound to go down if a large number of detenus are released, but Government cannot at the same time, while they are releasing detenus in large numbers, take the risk of reducing the strength of their Intelligence Branch, because, after all, a responsible Government must ensure that in case things go wrong, they are in a position to take action to ensure safety of people and of officers. It is not possible to create an Intelligence Branch in a very short time nor is it possible after organisations have been started and movements have reached an advanced stage to create an Intelligence Branch and obtain information. All this takes time, and therefore it is not possible for Government at the present moment to reduce expenditure so far as the Intelligence Branch is concerned. It is through a long process of training of officers that they become good Intelligence Branch officers. It is not every officer who can become a successful Intelligence Branch officer and one of the Inspectors-General of Police has said, "that only ten per cent. amongst his officers are fit to be good Intelligence Branch officers." Therefore a reduction in Intelligence Branch expenditure at a time when we are pursuing a bold policy for the release of detenus will mean taking a most unwarrantable risk which will not be consistent with public safety. I would therefore request the House not to press for reduction in Intelligence Branch expenditure. If conditions improve and continue to improve, as we hope it would, and if we find after a year or so that it is possible, consistent with public safety, to reduce the strength of the Intelligence Branch, I can assure the House that Government will take the first opportunity of making such a reduction. We can also give this assurance that if we are satisfied that it is possible to do so, that conditions are such that after release, detenus have taken to normal avocations or to constitutional politics, neither violent nor terroristic, nor subversive, then Government will be too pleased to reduce expenditure on the Intelligence Branch.

With these words, Sir, I would request the members not to press their cut motions, as, first of all the subject has already been discussed and secondly it is not fair to ask Government at this stage to reduce expenditure on the Intelligence Branch.

**Mr. SARAT CHANDRA BOSE:** May I ask the Hon'ble the Home Minister, with your permission, Sir, to give us some idea as to the expenditure incurred on the Intelligence Branch staff kept for opening letters of citizens, and secondly how much expenditure is incurred on the Intelligence Branch staff kept for tapping telephones of citizens?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I have not got the information at my disposal at the present moment.

The motion of Mr. P. Banerji was then put and lost.

**Mr. SURENDRA NATH BISWAS:** Mr. Speaker, Sir, I beg to move that the demand of Rs. 2,09,08,000 for expenditure under the head "~~29—~~Police" be reduced by Rs. 100.

Sir, by this cut motion I want to criticise the actions of the district police and the policy behind it. I believe that scathing criticisms of the actions of the police will have little effect unless Government changes its policy of police administration. Scathing criticisms have been made year in and year out in the previous Council. And I am quite sure several members on all sides of this House will make scathing criticisms to-night also against police actions. But I do not believe that these criticisms will have any result unless the present policy is changed for a better. Sir, some of my friends who spoke before me have told the Hon'ble the Home Minister that they have given the Ministry many chances of becoming popular; I also want by this motion of mine to give him and his colleagues another chance of becoming popular.

Sir, we have been told on the floor of this House that we have got a popular or in other words a democratic Government. The policy of a democratic Government should be to administer the affairs of the people according to the wishes of the people. In the financial statement of the Hon'ble the Finance Minister we find that the object of the new Government of this province is to lift the masses from the depths of misery, ignorance and poverty to which they have sunk and to help the nation to march forward as rapidly as possible to its proper political destiny. These are certainly the wishes of the people of this province. But mere shibboleths will not satisfy us. We want practical demonstration that the new Government is anxious to lift the masses from penury and helping the nation to march forward towards its political destiny, and that is our demand. Sir, we on this side of the House,—I mean the Congress members, have been accused by the Hon'ble Ministers that we have been making unreasonable demands.

Sir, what are our demands? Our demands are two-fold. One is the political demand and the other is the economic demand. Before

we had met in this House, since the 1st April, 1937,—the date of the change of Government—we had been demanding on public platforms the release of all political prisoners and many demonstrative meetings had been held over that demand. And on the floor of this House also we began with that demand. The Hon'ble Ministers had no right to say that our this demand was unreasonable. In this respect I would quote an extract of the statement which the Finance Minister prepared on behalf of the Cabinet. This is what he says on page 3.

“Our hearts are also full at this moment with gratitude to the band of innumerable workers, most of them unknown, to fame but all high in the roll of honour by reason of their selfless devotion to the national cause. We are richer to-day by the fruits of their labours. Thanks to them and to the zeal that inspired them, we are to-day in a position of great power and even greater possibilities.”

Sir, I dare say that the Hon'ble Finance Minister when he inaugurated this Assembly on behalf of the Cabinet had at the back of his mind the faces of persons many of whom were still behind the prison bars. When the view of the Cabinet was such and when we were told in this House that the Government had changed and the people's government had dawned on us it was certainly not impertinent on our part to demand the release of the political prisoners whose contribution towards the Reforms had not been denied. And that it was not impertinent can be doubly proved by the fact that such a demand had been made by the Proja Party also in their election manifesto, of whom the Hon'ble Mr. Fazlul Huq, the Premier, is still the leader. But, to our utter misfortune, Sir, that demand has been brushed aside. Practice has disproved the profession. Now Sir, may I ask the Cabinet how do they intend to help the nation to march forward towards the political destiny of our nation? The people in this province are smothering under an inferiority complex. The people living in villages are afraid of approaching even a constable. A nation who are always made to feel that they are slaves in their country, how can such a nation march forward towards a political destiny? The Hon'ble the Chief Minister told the people at Dacca a few days back—a few days before the Assembly met—that all the Government officials were the servants of the Premier and the Premier was the servant of the people, i.e., all the Government servants were the servants of the “Servant of the people.” That was indeed very nice to hear, but was that really a fact? I must say—No. An opportunity, however, has come to him to-night to begin to prove that the Government servants are really the servants of the people. So long we have heard the Government to say that the police are “public servants” but we have always found them masters of the public. With the advent of the new Government we certainly expected that the Cabinet would demonstrate by action that the police were the

servants of the people. But they have not cared to do so. I shall however ask the Cabinet to prove by action that the Premier really meant what he said. Let them tell the police that from to-night they must respect and protect the liberties of the people and that they must know how to behave like servants before the people. And let the people be emboldened by being told that from now the police will be not their masters but their servants. Sir, a change in outlook is necessary both of the Government and its police force, and that change can only be brought about by a clear declaration of the Government that the liberties of the people would no longer be trampled down and that the people would no longer be victims of police oppression and the police should be told by a written order that from now they must respect and protect the liberties of the people.

Sir, I will now leave this aspect of the case and acquaint the House how police atrocities are committed in the districts. The majority of the members here have been returned from district constituencies and they will bear me out that the district police commit excesses in season and out of season, both in political and non-political matters. My district of Faridpur has been the victim of police oppression for several years. Now, to illustrate what I have said I will read out an extract from a judgment delivered by the Sessions Judge of Faridpur in a case under section 110 of the Criminal Procedure Code. A case under section 110, which may be called a political badlivelihood case and known as Chhaygaon badlivelihood case, was brought against 10 young men of my district, living in the village of Chhaygaon. In that case the prosecution examined 107 prosecution witnesses and most of these witnesses were made to depose on behalf of the prosecution by threats, persecutions, assaults, and tortures, and when the accused young men found that even their women-folk were about to be molested they pleaded guilty, without cross-examining any of the prosecution witnesses. Whatever I shall mention before you, Sir, is contained in the judgment. When these poor fellows after pleading guilty found that they were ordered to suffer 3 years' imprisonment by the Subdivisional Officer of Madaripur, they appealed to the Sessions Judge stating that their plea was illegal as that was extracted by police terrorism. The Sessions Judge admitted the appeal and allowed the accused to cross-examine the prosecution witnesses. As my time is limited I would not go into the details but I would only read out a portion of that judgment. This is what the Judge said:

"Thus, in all, 107 witnesses were examined on behalf of the prosecution and some of them cross-examined by the defence. The defence, however, did not examine any witness on their behalf. The trend of cross-examination by the defence is to the effect that the prosecution witnesses were got up and their evidence fabricated for the purpose of making a false case against the accused persons and also that some

of the prosecution witnesses were beaten, assaulted, tortured and humiliated by the police with a view to extort false evidence. The defence further contended that the pleas of admissions were also due to a terror created by the police oppressions in the locality and that even threats were given by the police to molest the women of the village and that these alleged confessions were made out of fear——”

The Judge then goes on to say: “I may say at the outset that there is overwhelming evidence on the record in the cross-examinations of many prosecution witnesses that they were assaulted, threatened, tortured and humiliated with a view to extort evidence.”

That, Sir, is the finding of the Sessions Judge. I shall now read the concluding portion of the judgment which comprises of 108 pages of typed matter.

“I have considered the entire evidence on the record and also the arguments of the pleaders on both sides patiently and I hold that the prosecution totally failed to prove any case against the accused persons under section 110, Criminal Procedure Code. The accused persons have already been suffering in jail for about 15 or 16 months and the prospects in life of some of the youths have been marred for ever. The restraint orders appear to have been rather cheaply used and with a purpose. The Subdivisional Officer's observations in a lengthy order, dated 12th April, 1936, also point to the same.

“My opinion is that the accused persons were unnecessarily prosecuted under section 110, Cr. P. C., and that they should be acquitted at once. This proceeding should not have been started at all. The methods adopted by the subordinate police officers have undoubtedly created great discontents in the village and these methods would, I think, affect the criminal administration of justice. I regret that I could not approve of the methods.”

Now, Sir, I would ask the Hon'ble Home Minister whether he would take adequate steps against the police officers who were responsible for this case and those atrocities? I would also ask him how many thousands of rupees out of the public fund had been spent in prosecuting this false case? Sir this is not the only case. There have been many such cases of repression by the police in my district. I hope that the Home Minister will take a note of these cases—I find that the Home Minister is laughing. I do not know what he has up in his sleeves—I would like to tell him and his colleagues that if they want to be popular they must take a note of what I say to-night and assure the public of the future safety of their persons and protection of their liberties and honour. I would mention two other similar cases, namely, the Naria and Kartikpur-Hogla badlivelihood cases which were also started against some young men of the localities

concerned. In those cases also the accused youngmen were first put to jail and then honourably acquitted by the Sessions Court. But, Sir, the most heart-rending part of the whole tragedy is that as soon as the youngmen who were accused in all those cases were released from the Jail by the order of the Sessions Judge, they were arrested and made detenus at the jail gate. (Cries of "Shame" from the Congress side.)

The tragedy has not ended there. The concluding chapter of the tragedy is that the police officer—I mean the Superintendent of Police who was mainly responsible for this and other similar cases has invited the Inspector-General of Police to attend a public Durbar arranged to be held to-morrow in that locality in order to show that the public there were satisfied with police administration. Sir, this arrangement the Superintendent has made after I gave notice of questions regarding police outrage in my district to be answered in this Session of the Assembly. This is nothing but adding insult to injury. There can be nothing more scandalous than this.

(At this stage, the member having reached the time-limit was allowed to proceed for one more minute.)

Sir, I am sorry I have not time to say more. Even in a month I may not be able to finish if I recount to this House the acts of oppression and torture that have been and are being committed by the police in my district. Before I resume my seat I again request the Home Minister and his colleagues to remember that if they want to be popular they must first make their police force popular and safeguard the rights, liberties and honour of the people.

#### Adjournment.

The House was then adjourned till 3-45 p.m., on Wednesday, the 25th August, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 25th August, 1937, at 3-45 p.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.), in the Chair, the eleven Hon'ble Ministers and 225 members.

**STARRED QUESTIONS.**

(to which oral answers were given)

**Wakfs.**

**\*79. Maulvi MUHAMMAD ISRAIL:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

- (i) the number of *wakfs* enrolled under the Act up to the 30th June, 1937, from date of commencement of the Act;
- (ii) the number of them that are (a) private and (b) public; and
- (iii) the total income of the *wakfs* that are (a) private and (b) public?

**MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** By courtesy of the Wakf Commissioner I am in a position to give these figures:—

(i) 4,566.

(ii) (a) 1,055, and (b) 3,511.

Rs.

(iii) (a) .. .. . 8,61,248

(b) .. .. . 47,66,266

Total ... 56,27,514

**Mr. SYED JALALUDDIN HASHEMY:** What is the approximate establishment cost of the office of the Wakf Commissioner?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, the Wakf Commissioner is not directly under our control, and if any question is to be asked, I must have notice, so that I may get the figures.

**Mr. J. W. CHIPPENDALE:** What is meant by private and what by public wakfs?

**Mr. SPEAKER:** Order, order. That is not a question. I would, however, advise the honourable member to read the Wakf Act.

#### Detenus.

**\*80. Mr. SATYA PRIYA BANERJI:** (a) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state—

- (i) whether it is a fact that Sjs. Kiran Chandra Mukherji and Jnanchandra Majumdar, detenus in the Deoli Detention Camp, have been suffering from various diseases for a long time;
- (ii) whether it is a fact that Sj. Atindra Ray, a detenu in the Deoli Detention Camp, has been suffering from appendicitis; and
- (iii) whether it is a fact that Sjs. Amulya Adhikary and Ajitananda Das Gupta are suspected of suffering from tuberculosis?

(b) If the answers to (a) are in the affirmative, will the Hon'ble Minister be pleased to state the steps so far taken by Government for their treatment with results?

(c) If no steps have been taken for their treatment, will the Hon'ble Minister be pleased to state whether the Government propose to take any step in the matter?

**MINISTER in charge of HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin):** (a) (i) Babu Kiran Chandra Mukherji has been in indifferent health for some time. Babu Jnanchandra Majumdar is well.

(ii) Yes.

(iii) As regards the first named person tuberculosis is suspected; there is no active tuberculosis in the second case.

(b) and (c) The sick persons concerned have received and will continue to receive adequate medical or surgical treatment. I am not prepared to give any details, as these are private matters which concern only the individuals in question. I shall, however, be glad to communicate particulars to the hon'ble member if he assures me that the detenus have no objection to his receiving such information.

**Babu NARENDRA, NARAYAN CHAKRABARTY:** (In Bengali.) With reference to answer (iii), what does the Hon'ble Minister mean by suspected and active tuberculosis?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I am afraid I am not here to furnish members with the meaning of English words.

**Mr. SASANKA SEKHAR SANYAL:** On a point of order, Sir. The detenu matter is a State question, and as such the Hon'ble Minister cannot consider these as private matters which concern only the individuals in question.

**Mr. SPEAKER:** Order, order. I have definitely stated already that following the conventions which are observed everywhere in the matter of questions, I have ruled that it is entirely in the discretion of a Minister to choose to answer a question in any manner he likes, and that it is also open to the members to put supplementary questions with a view to eliciting any further information in that connection. But I cannot compel a Minister to answer a question if he declines to do so.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** On a point of personal explanation, Sir, I am sure the House will admit that members need not discuss the details of the disease of a detenu here.

**Babu NARENDRA NARAYAN CHAKRABARTY:** (In Bengali.) Is it not desirable that the Hon'ble Minister should speak in Bengali in reply to a question put in Bengali?

**Mr. SPEAKER:** Order, order. As the relevant section of the Government of India Act stands, I am helpless in the matter. Under that section a member can speak in Bengali if he is unacquainted or not sufficiently acquainted with the English language. But it is not open to me to ask any member to speak in Bengali if he knows English. As the Hon'ble Khwaja Sir Nazimuddin is not unacquainted with the English language, I am afraid he may not be inclined to speak in Bengali, and I cannot compel him to do so.

**Mr. SASANKA SEKHAR SANYAL:** Do I understand that in respect to answer (iii), as it was not a case of active tuberculosis, it was one of passive tuberculosis?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I have nothing further to add.

**A Member:** Is the Hon'ble Minister prepared to communicate the particulars to me if I can assure him that the detenus have no objection to my receiving such information?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** If the hon'ble member will see me in my office room later on, I can give him the answer.

**Primary education amongst the illiterate workers and their children.**

**\*81. Mr. AFTAB ALI:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state what arrangements are there in the labour centres of Calcutta and suburbs for imparting primary education amongst the illiterate workers and their children?

(b) Is the Hon'ble Minister aware that cent. per cent. of the workers are illiterate?

(c) Do the Government propose to urge upon the employers to start immediately an adequate number of night and day schools in all these industrial centres?

(d) Do the Government propose starting immediately free primary night and day schools for educating the workers and their children in the industrial centres of Calcutta and suburbs with contribution from the employers?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (a) There are continuation schools in Calcutta and 24-Parganas for the education of both adults and boys. Their number is shown below:—

	Group I.	Group II.
Calcutta	... 36	15.
24-Parganas	... 50	12.

Group I schools are meant for boys and teach the 3 R's. Group II schools are intended for adults and teach arithmetic and a language besides a technical or commercial subject. A grant of Rs. 7,700 was sanctioned last year for the maintenance of such schools. •.

(b) No.

(c) No. The local bodies, viz., the District Board, 24-Parganas, and the municipalities concerned should, in the first instance, impress upon the employers the necessity for starting such schools; as primary education in both urban and rural areas (where District School Boards have not been formed) are mainly under the control of local bodies.

(d) Government will duly consider such schemes prepared by the local bodies in consultation with the employers.

**Mr. J. N. GUPTA:** Is there any school in Calcutta and the 24-Parganas to educate the illiterate workers?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I want notice.

**Mr. SYED JALALUDDIN HASHEMY:** If local bodies are negligent in discharging their duties, is it not the duty of Government to urge upon them to do their duty?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** That is a hypothetical question to which I can give no reply.

**Mr. J. N. GUPTA:** May I know whether he has carefully read question (a)?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I suppose I did.

**Mr. J. N. GUPTA:** Is there any workers' institution in the 24-Parganas and in Calcutta?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware, Sir, but I might enquire and let my friend know.

**Maulvi ABDUL BARI:** Are the Calcutta schools run by the Government of Bengal or by the Corporation of Calcutta?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** They receive aid from Government, and they are under the control of Government, but they are also helped by contributions from local bodies.

**Mr. SIBNATH BANERJEE:** What is the number of such schools in Howrah?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I should like to have notice to enable me to prepare statistics.

**Mr. RASIK LAL BISWAS:** With reference to answer (b), does the Hon'ble Minister think it desirable to ascertain whether cent. per cent. of the workers are illiterate?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I do not admit that they are cent. per cent. illiterate.

**Khan Sahib Maulvi S. ABDUR RAUF:** Are there such schools in Calcutta and the 24-Parganas?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** So far as I am aware, there is none, but if any enquiry is needed, I may make the enquiry and let the hon'ble member know.

**Detenus Babu Nirodbaran Bhowmik, B.L., and Babu Sudhangshu Kumar Bhowmik.**

**\*82. Mr. MANORANJAN BANNERJEE:** (a) Is the Hon'ble Minister in charge of the Home (Special) Department aware—

- (i) that Babu Nirodbaran Bhowmik, B.L., and his brother, Babu Sudhangshu Kumar Bhowmik, were arrested under the Bengal Criminal Law Amendment Act in the second week of August, 1932, and the 19th September, 1932, respectively, and have since then been in detention;
- (ii) that Babu Nirodbaran Bhowmik is at present interned at Jambari in Midnapore and Babu Sudhangshu Kumar Bhowmik at Dumoria in Khulna;
- (iii) that their ailing father is aged about 75 years;
- (iv) that before their arrest Nirodbaran Babu and Sudhangshu Babu were the earning members maintaining their aged parents;
- (v) that the old father had to raise money by sale and mortgage of all his landed properties to bear the educational expenses of those two detenus;
- (vi) that both the detenus as well as their aged invalid mother Sreemati Sushila Sundari Debi repeatedly prayed for grant of subsistence allowance;
- (vii) that their parents are at present living on charity which is also not available now; and
- (viii) that their repeated prayers have been rejected by the Additional Secretary?

(b) Will the Hon'ble Minister be pleased to state—

- (i) the reasons for the rejection of their prayers for family allowance;
- (ii) whether Government are prepared to grant a subsistence allowance to their aged and incapacitated parents; or
- (iii) whether Government are prepared to release the detenus?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** (i) Yes.

(ii) One of them has been and the other will shortly be interned at home.

(iii), (v) and (vii) I have no information.

(iv) My information is that before their arrest they were not in a position to contribute to the support of their parents.

(vi) and (viii) Government received applications for the grant of a family allowance but rejected them.

(b) (i) and (ii) Government were of opinion that the detenus if at liberty would not have been in a position to contribute to the support of their parents. I am prepared to consider with due regard to the provisions of section 12 of the Bengal Criminal Law Amendment Act, 1930, whether the grant of an allowance from public funds would now be justifiable.

(iii) The attention of the hon'ble member is invited to my reply to part (a) (ii) of the question, and to that portion of the statement which I made in this House on the 9th August which relates to detenus in home domicile.

**Babu NARENDRA NARAYAN CHAKRABARTY:** (In Bengali.)

With reference to answer (ii), may I know whether they will get any allowance?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I would refer the hon'ble member to answer (iii) and to the statement I made on the 9th of August.

**Mr. BIRENDRA NATH MAZUMDAR:** Is any allowance given to a home-internee?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Most of those who are home-interned get allowances.

**Mr. BIRENDRA NATH MAZUMDAR:** Is Mr. Nirod Baran Bhowmik, a home-internee, in receipt of any allowance?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I ask for notice.

**A Member:** With reference to answer (iv), does the Hon'ble Minister think that a B.I. is not in a position to support his parents?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** That was the decision of the previous Government, and this question is going to be re-examined by Government.

**Mr. SASANKA SEKHAR SANYAL:** With reference to answer (b)(i)(ii), is this opinion a mere surmise or is it based upon material facts?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I have already stated that this question is going to be re-examined and that that decision was arrived at by the previous Government.

### UNSTARRED QUESTIONS.

(to which answers were laid on the table)

**Detenu Sreejut Arabinda Chakravarty.**

**34. Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state—

- (i) the circumstances under which Sreejut Arabinda Chakravarty, a boy aged about 16 years only of the District of Nadia, was arrested nearly 6 years ago and kept under detention without trial since then;
- (ii) whether it is a fact that this boy has been suffering from various ailments since his internment in the district of Mymensingh;
- (iii) whether it is a fact that he has lost nearly 28 pounds in weight in a few months;
- (iv) whether he has been suffering from pain in the chest, pyorrhœa, slow fever and other troubles;
- (v) what is the present state of his health; and
- (vi) whether the Government are considering it desirable to release the said detenu without any further delay?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** (i) I am not prepared to state the reasons for which this youth has been detained.

(ii) to (v) The detenu was in poor health while interned in Mymensingh and was twice admitted to the Suryya Kanta Hospital in Mymensingh town, where he received treatment for heart trouble, bronchitis and other complaints. The only information which I have about loss of weight is that he lost four pounds during one of the periods spent in hospital. He was recently interned at home, and I have no information about his present state of health.

(vi) The attention of the hon'ble member is invited to that portion of the statement made by me in this House on the 9th August which relates to detenues in home domicile.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state whether he cannot state the reasons in the interest of public safety?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Yes.

**Dr. NALINAKSHA SANYAL:** Will he be pleased to state if this young boy of 16 years was taken in custody because British imperialism was imperilled?

**Mr. SPEAKER:** Order, order. This is not a supplementary question; rather you are supplying an answer. You must realise that you are asking a question, and your question is whether this man has been interned. Instead, if you suggest that his internment imperilled British imperialism, surely it would not be the proper way of putting a supplementary question. My difficulty is still worse. I have to deal with 250 members in connection with their supplementary questions, and if they all put supplementary questions which are really not so, but are simply such as to suggest certain information, I do not know how I should tackle them.

**Dr. NALINAKSHA SANYAL:** Oh a question of privilege, Sir, when I find that the Hon'ble Minister is refusing to answer a question, I have got to put certain questions in order to get an answer—

**Mr. SPEAKER:** Order, order. It would be a sheer waste of time if I were to allow you to suggest the possible causes one after another.

**Results achieved by Government High Schools and Colleges  
during the last five years.**

**35. Dr. H. C. MUKHERJI:** Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing in a tabular form, the results achieved by Government high schools and colleges during the last five years, with—

- (i) the number of students that took the final test in these schools and colleges;
- (ii) the number sent up;
- (iii) the number passed with their classes; and
- (iv) the percentage of passes to the total number in the class?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** The information is not readily available and its collection would involve an expenditure of time and labour which the Ministry is not prepared to incur.

**Dr. H. C. MUKHERJI:** Is it not a fact that some years ago such a statement was drawn up and, if so, is the Hon'ble Minister prepared to place that statement on the table?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware of it, Sir.

**•Training of students in the agricultural classes.**

**36. Dr. H. C. MUKHERJI** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing for the period from 1930 to 1936, the number of students that—

- (i) received the full four years' training in the agricultural classes in schools;
- (ii) studied in high English schools;
- (iii) studied in middle English schools;
- (iv) studied in middle English schools with continuation classes;
- (v) went up for higher education after completing the agricultural training;
- (vi) stopped their education with the end of the agricultural training; and
- (vii) adopted agriculture as their profession on completing the training?

(b) Will the Hon'ble Minister be also pleased to state whether from the Inspector's reports it has been proved that the middle English schools with continuation classes are more successful than high English schools with agricultural classes in keeping back their students from higher education?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (a) The compilation of this information will involve an excessive expenditure of time and labour which Government will not be justified in undertaking at present.

(b) It is reported that middle English schools with continuation classes are more successful than high English schools with agricultural classes in this respect, but no definite conclusions can yet be drawn.

**Dr. H. C. MUKHERJI:** Is it not a fact that there is an Inspector of Agricultural Education with headquarters at Dacca, and that it is his duty to inspect institutions which teach agriculture and to submit annual reports; and if so, is the Hon'ble Minister prepared to place the last report on the table?

**Mr. SPEAKER:** Order, order. Your question is divided into three parts, the first and second of which relate to the function and the duty of the officer. I think no answer is required on those points. So far as the third part is concerned, it will suffice if that is answered.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware of that report, but I will make an enquiry and, if possible, I will place it on the table for the information of the hon'ble member.

**Dr. H. C. MUKHERJI:** Is it not a fact that originally teaching of agriculture started with 40 schools and that this number has dwindled down since then?

**Mr. SPEAKER:** Order, order. I think, Dr. Mukherji, if you had heard my ruling on a similar question put by Dr. Sanyal, you would have profited by it. I told Mr. Sanyal that his business was to put a supplementary question and not to supply information through a supplementary question. I have disallowed that question for reasons I have already stated, and I disallow your question on the same ground.

**Dr. H. C. MUKHERJI:** Is it a fact that there has been diminution in the number of schools imparting agricultural training?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware of that, Sir.

#### **Imposition of education cess upon the people of Mymensingh.**

**37. Mr. AMRITA LAL MANDAL:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether the education cess is going to be imposed upon the people of the Mymensingh district?

(b) Is the Hon'ble Minister aware that the people of Mymensingh are passing through a crisis on the fall of the price of jute?

(c) Has the Hon'ble Minister received objections from the people of Mymensingh against imposition of such tax at this time?

(d) Is the Hon'ble Minister considering the desirability of keeping in abeyance the imposition of education cess upon the people of Mymensingh till the economic condition of the people improves?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (a) The question is under consideration.

(b) No.

(c) Yes.

(d) Does not arise—In view of the answer to (a).

**Khan Sahib HAMIUDDIN AHMAD:** Is the Hon'ble Minister aware that the Chief Manager of the Tagore Estate (?) in the district of Mymensingh went out on tour asking people to agitate against the imposition of the education cess?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware, Sir.

**Khan Sahib HAMIUDDIN AHMAD:** Is it not a fact that all the objections referred to in (c) were from individuals who had nothing to do with the District School Boards, local boards and union boards who have passed resolutions in favour of the imposition of the cess?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, the objection came mostly from public meetings of protest. As regards the school boards they wanted the tax. But the view was overwhelmingly against the imposition of the cess, and Government have stopped collecting the cess with a view to ascertaining the views of this Assembly which will be done in due course.

**Khan Sahib HAMIUDDIN AHMAD:** Is it not a fact that this agitation was engineered by interested persons and zemindars?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I cannot say, Sir.

**Number of persons belonging to the district of Mymensingh detained without trial.**

**38. Mr. CHARU CHANDRA ROY:** Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state—

(i) the names of persons belonging to the district of Mymensingh detained without trial;

(ii) their places of internment;

- (iii) the state of their health;
- (iv) their present weight;
- (v) the weight they had when arrested; and
- (vi) the amount of family allowance, if any, granted to each?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** The information desired by the hon'ble member cannot be collected without an undue expenditure of time and labour which Government are unable to undertake.

**Mr. SASANKA SEKHAR SANYAL:** What is the amount of time and labour that the collection of this information would involve?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** A great deal of time and labour.

**Mr. JOGESH CHANDRA GUPTA:** Is the Hon'ble Minister aware that all this information may be obtained from the files relating to these detenus?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Certainly.

**Mr. JOGESH CHANDRA GUPTA:** Will the Hon'ble Minister kindly place that information at the disposal of this House?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I have already said that it will take a great deal of time and labour, because we have got to go through a number of file registers, and to look up a large number of names to get this information.

**Mr. JOGESH CHANDRA GUPTA:** Does the Hon'ble Minister mean to convey to this House that the files relating to the detenus in the district of Mymensingh have not been looked into by him?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** There are no files, district by district.

**Rai HARENDRA NATH CHAUDHURI:** Could not one of these questions be answered with due expenditure of time and labour?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I do not know, but that may be possible, Sir.

**Number of estates purchased by the Government.**

**39. Rai HARENDRA, NATH CHAUDHURI:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state annually, for each district, for the period of last five years, the number of estates—

- (i) that were advertised for sale for arrears of land revenue under the Revenue Sale Law (Act XI of 1859);
- (ii) that were sold under the aforesaid Sale Law; and
- (iii) that were purchased by the Government?

**MINISTER in charge of, REVENUE DEPARTMENT: (the Hon'ble Sir Bijoy Prasad Singh Roy):** A statement giving the information required is placed on the table.

*Statement referred to in the answer to unstarred question No. 39, showing the number of estates advertised for sales, number sold and number purchased by Government during the last 5 years.*

Districts.	1932-33.			1933-34.			1934-35.			1935-36.			1936-37.		
	Number adver- tised for sale.	Number purchas- ed by Govern- ment.	Number adver- tised for sale.	Number purchas- ed by Govern- ment.	Number adver- tised for sale.	Number purchas- ed by Govern- ment.	Number adver- tised for sale.	Number purchas- ed by Govern- ment.	Number adver- tised for sale.	Number purchas- ed by Govern- ment.	Number adver- tised for sale.	Number purchas- ed by Govern- ment.	Number sold.	Number purchas- ed by Govern- ment.	Number sold.
1. Burdwan	282	42	337	77	7	336	99	21	317	64	1	403	75	1	
2. Birbhum	180	4	222	16	1	207	5	..	222	5	1	270	6	3	
3. Bankura	16	2	19	6	..	25	4	..	27	10	..	36	5	..	
4. Midnapore	111	14	202	29	4	189	27	4	104	17	3	105	14	1	
5. Hooghly	187	48	245	66	18	252	57	27	213	51	7	246	55	22	
6. Howrah	13	4	35	12	..	31	10	2	23	5	..	27	11	7	
7. 24-Parganas	31	31	389	55	22	181	40	7	198	43	17	277	33	7	
8. Nadia	312	35	338	37	1	249	64	4	239	52	20	241	55	24	
9. Murshidabad	199	19	271	30	8	307	30	9	329	22	3	343	16	3	
10. Jessore	244	53	350	114	35	305	76	17	215	59	13	203	36	2	
11. Khulna	115	23	181	29	11	87	24	11	82	21	2	79	23	8	
12. Dacca	434	52	495	110	35	642	110	84	498	69	9	391	47	4	
13. Mymensingh	249	25	216	24	3	156	37	1	220	26	16	200	26	25	
14. Faridpur	250	38	369	77	43	322	66	17	258	60	14	153	28	5	
15. Bakarganj	470	27	615	31	45	695	33	12	605	34	11	598	27	8	
16. Chittagong	741	140	2,315	215	22	2,256	275	65	1,829	261	15	1,885	244	26	
17. Tippera	680	80	574	44	7	715	49	13	615	34	7	429	26	2	
18. Noakhali	111	6	222	7	..	208	17	6	125	3	1	114	6	2	
19. Rajshahi	200	10	259	5	..	201	8	..	173	7	1	149	2	..	

20. Dhalpur	..	313	9	2	398	6	3	245	5	1	189	1	..	181	4	..
21. Jaipalguri	..	..	..	..	..	..	..	13	6	..	198	19	4	454	100	34
22. Rangpur	..	299	7	..	343	2	..	343	4	1	324	4	1	229	2	..
23. Bogra	..	150	7	1	158	7	3	135	3	..	93	1	1	119	1	1
24. Pabna	..	225	29	8	215	29	13	16	26	10	126	11	4	100	27	6
25. Maida	..	97	8	1	117	5	3	145	10	5	136	2	2	89	4	2
26. Darjeeling	..	18	..	..	15	..	..	45	6	..	80	2	1	291	5	..

**Rai HARENDRA NATH CHAUDHURI:** Is the Hon'ble Minister aware that there was a failure of crops in the Presidency and Burdwan Divisions in the year 1935-36?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Yes, Sir.

**Rai HARENDRA NATH CHAUDHURI:** In view of the facts disclosed in answer to this question, is the Hon'ble Minister prepared to say that the Revenue Sale Law did not operate very harshly in that area?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** That is asking for an expression of opinion which I am not prepared to make.

## THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

### DEMAND FOR GRANT.

#### Part II.

#### 29—Police.

**Mr. HARENDRA KUMAR SUR:** I beg to support the motion for reduction moved by my friend, Mr. Surendra Nath Biswas. So far as police oppression in the mufassal is concerned, our cry is a cry in the wilderness. They want to prove their efficiency and justify their existence by keeping our people in perpetual terror. During the last few years, the organised acts of terrorism perpetrated openly by the police on our people can better be imagined than described. Insults and humiliations, indignities and oppressions were the daily experiences of our boys and young men. I shall only confine my speech to some incidents that happened in the district of Noakhali. The highest officer in charge of the Intelligence Branch in Noakhali, taking undue advantage of his unlimited powers under the repressive laws, such as the Bengal Criminal Law (Amendment) Act, the Bengal Suppression of Terrorist Outrages Act and similar other Acts, compelled some of the boys to appear before him at dead of night in his bungalow, and they were made victims for the purpose of satisfying his unnatural lust. Sir, our boys had to pocket these degrading insults without any sense of

shame because they knew from their past experience that if they had offered resistance, then the whole machinery of law and order would have been let loose upon them, and some day it might so happen that they would have been arrested under the Bengal Ordinance and put under detention. Our boys disclosed the fact to their nearest relations only when this particular officer had left the district of Noakhali and when they had definitely come to know that he would not be coming back; and then one of the boys sent a petition to the Private Secretary to His Excellency the Governor to which he received a reply that his letter had been forwarded to the Chief Secretary to the Government of Bengal, and that any further correspondence should be addressed to the Chief Secretary. The boy then sent letters to the Chief Secretary by way of reminders to which he received no reply.

Then it is mysterious that somehow or other a very high official in the service of the Assam-Bengal Railway who happens to be the President of the European Association of Chittagong and the Superintendent of Police, Chittagong, came to know of this matter. The President of the European Association sent a letter to the boy and the Superintendent of Police sent a telegram to him requesting him to appear before them with the papers in his possession, meaning thereby the documents for substantiating his allegations. The boy escorted by the Intelligence Branch Sub-Inspector of Feni went over to Chittagong and appeared before these two gentlemen and produced the documents and convinced them about the truth of his allegations. Those two gentlemen then advised the boy not to proceed with the matter further because nothing would come out of it. On the other hand, they gave him allurements that he would be provided with a job under the Assam-Bengal Railway. Somehow or other, the matter leaked out, and then apprehending that questions might be put in this session of the Assembly, the boy was served with a letter from the District Traffic Superintendent, Assam-Bengal Railway, asking him to present himself on the 22nd July for interview before the Selection Board. The boy had never submitted any application for any job, and he then wrote a letter to the Commissioner of the Chittagong Division stating that he did not want to act against his conscience, and the Divisional Commissioner sent him a reply. Thereafter the boy wrote another letter to the Divisional Commissioner who in reply assured the boy to keep his promises. Of course, these gentlemen were under the impression that the boy would keep the matter secret, but the letters of the particular officer concerned disclosing these filthy matters as well as the letter of the President of the European Association and the telegram of the Superintendent of Police and the two letters of the Divisional Commissioner of Chittagong were all in the safe custody of the boy. I have had an opportunity of going through all those papers and have been convinced that after the complaint was made to the Government of Bengal, a serious attempt was made to hush

up the matter. Sir, I appeal through you to the House that if high officers placed in charge of the Intelligence Branch of the district stoop so low what excesses will not be committed by the subordinate staff?

Then, Sir, I shall now turn to another incident which happened in Comilla, in which another Military Intelligence Officer was concerned. Miss Brahma, a detenu and homeinternee, was attacked with fever in January last, and she was feeling excruciating pain, and her father submitted a petition to the Superintendent of Police for her medical treatment and, if necessary, for her removal to Calcutta. Days passed and no reply was sent. Then, Sir, when the condition of the girl became critical, the father of the girl called in the Military Surgeon, Captain Prosser? He examined the girl and declared that it was a case of abscess in the abdomen and that she had passed the stage of operation. On the next day he came again and declared that the case was hopeless. The unfortunate girl met with a tragic death because of the callous indifference of the authorities and because she could not be removed to Calcutta for treatment. After her death, there was a funeral procession when the dead body was taken to the cremation ground and some young men of Comilla joined in the procession. This the Intelligence Branch officers could not tolerate. The next day some young men—three, four, or five in number—were visited by the police, and the Military Intelligence Officer and one Inspector Kushari mercilessly beat these boys for taking part in this funeral procession, causing bleeding injuries to one of them. The father of one of the injured boys sent a petition to the police, but perhaps the matter was hushed up or no enquiry was made. This is the state of affairs, Sir, which prevails in this province. It is said that the duty of the police consists in the prevention and detection of crimes and of their general readiness to assist or render help to every individual of the community. As regards prevention of crimes, I submit that in the year 1902-03, when the Indian Police Commission sat, the police expenditure was a little over 46 lakhs; in the year 1923-24 the expenditure increased to Rs. 1,73,31,000; and in the year 1932-33 it mounted up to Rs. 2,20,85,000; and in the present year the estimated amount is Rs. 2,27,69,000. As regards the strength of the force fat bérths have been created at the top as a result of the Report of the Indian Police Commission, with the object of exercising careful and effective supervision and control over the Police Force. The strength of the Police Force in 1913-14 was 17,495; in 1922-23, 23,498; in 1931-32 it increased to 26,791; and for the present year the strength is 31,690. The number of police-stations in 1912 was 453; it was increased to 688 in 1921; and now, Sir, it is about 700. If we study, on the other hand, the number of crimes, we find that that number has been gradually increasing. The more the contribution from the public exchequer, the greater is the number of crimes committed. This is an indication that the police administration

in Bengal, at least with regard to the prevention of crimes, is a total failure. Then as regards detection of crimes, from the figures it appears that only 30 per cent. of the cases are sent up for trial, and practically 70 per cent. of the cases remain undetected, and 26 per cent. of the cases, on an average, end in conviction.

The third point is that it is the duty of the police to render help to every individual in the community. I must submit, Sir, that these officers never for a moment feel that they are public servants; they never discharge any of their functions in the spirit of service; they rather take pride to keep our people in perpetual terror and to make us feel that they have unlimited powers of oppression and mischief. Corruption in greater or less degree also prevails from the Inspector down to the pettiest constable. Investigating sub-inspectors are dishonest, and tyrannical, for they extort money when an investigation proceeds. They go to the villages where they seek to create opportunities for realizing money, and they are not only a burden to the complainant but also to the witnesses, and sometimes to the whole village. If these investigating officers do not get sufficient money to fill their pockets, they harass and insult the people. This is, Sir, what is police administration in this province. It is said that we have got—

(At this stage the member having reached the time-limit, resumed his seat.)

**Mr. SHAMSUDDIN AHMED KHANDKAR:** Mr. Speaker, Sir, my friend has made a speech in support of the token cut motion which he has moved, from which and from the appeal that he has made I do gather that this appeal was to the Hon'ble the Home Minister, that the police should change their attitude. So long the idea that prevailed among the police officers was that they were masters of the people, but with the inauguration of the new constitution and new Government they should be made to understand that they are not the masters, but merely the servants of the people. The people of this province were tongue-tied so long, and they should be released from their terror. I can cite many instances, Sir, of their bad behaviour, but I shall cite one or two cases only on the present occasion. It is very difficult for people to get redress at the hands of the district police. My friend, Mr. Abdul Bari, complained yesterday against the district police, but he could not give expression to his complaint. Now, the district police ought to do their work in a better manner than they are doing at present. People do not get redress at their hands when they are approached. They are treated in a manner anything but gentlemanlike, and their oppression and maltreatment has become proverbial, reference to which has been made by Mr. Surendra Nath Biswas in connection with the Chhaogan

case—similar treatment and oppression were also meted to people who approached them. In ordinary cases of theft, Sir, when the police are approached by the people, the police do not receive these informations regularly. Why? Because the more the number of information about theft the greater the discredit that it brings on the police, and these village people are driven away with soft words. Then, Sir, if a theft is committed on a particular day and information is lodged on that day also they do not go to that place that day, so that it might become difficult for them to trace the thieves. This is the sort of work, Sir, that the police are doing now-a-days. A good deal of money is spent, as will be apparent from the budget, on the district police, and the figure under this head exceeds that under the head "Education." Upon the district police budget Rs. 1,46,00,000 is charged, whereas for Education it is Rs. 1,26,00,000 and odd. Now, Sir, let us look to the budget of other major provinces, viz., of Bombay and Madras. In the past years we have seen that more money was spent on Education there than on Police. In Bombay last year and the year before a lakh of rupees was spent more on Education than on Police. Now, Sir, if illiteracy is gone from the country and people become educated, there will not be so much crime, and so much police expenditure would not be necessary. Therefore, with the inauguration of provincial autonomy we hope to see a cut in the Police Budget; but instead of that we find the figure is greater than under Education. Such a big amount should not be spent upon the district police only to report on suspects and track down criminals. Their real duty is to follow a gentlemanly, fair, and fearless policy, and what is more they should not molest innocent people but bring the criminals to book and do justice to the country people, as I have said and as I may repeat fairly, fearlessly, and gentlemanly. I would submit that such a big expenditure should not be allowed under the new constitution for the district police. Their whole work is now much minimized. There was some justification for keeping a big police force in the past, because unfortunately for Bengal there were some unhappy incidents in the past in the form of terrorist activities and subversive movements in this province. At that time there was necessity for maintaining such a big district police and incurring such big expenditure. But at the present moment, Sir, the situation is fully under control, and there is a lull in terrorist activities throughout the whole province. In view of this lull in the situation, the maintenance of such a big police force at this enormous expenditure is not required and cannot be justified.

Then, Sir, the situation also has changed now as will be evident from the fact that the premier political organisation in the country; I mean the Congress, which did not enter the former Council have, with the inauguration of the new constitution, come into it. There is a change of policy in that political organisation; they have not only entered it, but in other provinces have accepted office as well. In view of this political change and the cult of non-violence which the youths of Bengal

have accepted, I respectfully submit that any subversive movement will not be able to make its headway in Bengal. In these circumstances, there is no necessity for a big police force in the districts at an enormous cost. The money that would be saved by curtailing the number of district police officers can be diverted to education. I submit that there is not sufficient work for the district police, and I will give an instance which will show that it is so. There was a case of theft of a used up broomstick and sundry other things the aggregate value of which was only 4 annas. For this there was an investigation over a very big area covering two thanas and a large number of witnesses were examined with the result that a female was arrested and placed under trial. She went undefended and the Magistrate was very reluctant to pass a sentence, and let her go with a warning. So it will be seen that having no work to do, the district police goes to investigate case of theft of a broomstick.

I therefore respectfully submit that the Hon'ble Minister should listen to the appeal of the mover and send a circular to the police officers reminding them that they are the servants of the people and not their masters.

**Mrs. ELLEN WEST:** Mr. Speaker, a department whose utility to the public is dependent entirely on its efficiency ought not to be exposed to the whims and fancies of any legislature. Economy calculated merely to reduce the administrative charges of such a department is not compatible with efficiency. No Government can efficiently discharge its duties in the constructive field if there is not sufficient safeguard for the maintenance of peace and tranquillity in the area it administers. This is true of Congress Government as it is true of any other Government. The aid of the police has been sought during the past few weeks not only in Bengal, but also in those provinces where Congress has formed Ministries. If anywhere economy should be introduced with special regard to efficiency, it is in the Police Department. Failure of the police even in a single instance would demoralise it in the eyes of the unruly section of the public, and the offenders will be encouraged to repeat their performances. The knowledge of the existence of an efficient police is a safeguard against recrudescence of disorders and disobedience of established laws. The trend of the discussion which has taken place so far seems to indicate that the responsibility for the maintenance of law and order rests only with the Hon'ble Minister in charge. I would like to point out that this responsibility is shared by this House. The Hon'ble Minister is only an instrument of this House. He cannot

carry out his important duties if he had not the co-operation and support of this House. Unfortunately we have had many instances in the last few weeks—indeed during the last few days—which clearly testified to the necessity of an efficient police force. This House may now decide to reduce the Police Budget. But what will be the after-effects? Human nature being what it is, a change of heart cannot grow overnight. Reduction in the police grant and a consequent decrease in the strength and efficiency of the police force would only serve to liberate the forces of disorder which have happily been practically absent for some time past.

I would like to take this opportunity of bringing to the notice of the Hon'ble Minister in charge of the Department certain disabilities under which sections of the police force are suffering. I refer particularly to Anglo-Indian sergeants. I do not wish to raise the question of policy governing the recruitment of European ex-soldiers of the British Army, but in these days of unemployment and stress I do not see any reason why a greater number of Anglo-Indians should not be recruited into the force. I maintain that if Anglo-Indian sergeants have proved themselves capable of filling a certain percentage of these posts, the efficiency of the force will not be impaired by the recruitment of a larger percentage of Anglo-Indians. Then, again, I understand, I speak subject to correction, that there is a considerable disparity in the conditions of service of British soldier sergeants on the one hand and Anglo-Indian sergeants on the other, although the duties required of both classes of sergeants are absolutely identical. I believe that whereas the British soldier is confirmed in his appointment within six months of his recruitment, the Anglo-Indian is mainly recruited to temporary posts and is kept on in this capacity for two and sometimes three years. There are other such differences in terms, I need hardly say that such differential treatment between members of the same force doing similar duties may often create discontentment resulting in inefficiency. That there has not been any deterioration in their work notwithstanding this invidious difference is a tribute to the sense of duty of the Anglo-Indian sergeants. I appeal to the Minister in charge to give this matter his sympathetic and early attention.

**Mr. SPEAKER:** Before I adjourn the House I would like to draw the special attention of the members to a complaint made to me that members indulge in a considerable amount of smoking within the Chamber during intervals with the result that the House becomes stuffy. I have myself noticed that during division one member began to smoke almost from the very door leading to the lobbies. I hope

members will refrain from doing so; otherwise, it would be impossible to carry on the business in this House.

(The House was then adjourned for fifteen minutes.)

(After Adjournment.)

**MR. ABDUR RAHMAN SIDDIQI:** Mr. Speaker, Sir, a good deal has been said about the Police Department in the cuts that have been so ably put before the House. I would like to make an appeal to the Hon'ble Minister in charge on behalf of, if I may so put it, the Indian section that still notes with regret that the past has not yet gone away altogether. A new world has come into existence and we as Indians expect that the police, which in the mind of most of us is synonymous with cruelty and vindictiveness and possesses a point of view which is definitely anti-Indian, anti-national and is always of a type that makes us shudder will undergo a change. The police, Sir, is a necessity in every country, but here, in a country so docile as ours, the percentage allotted to this department is as high as 16. None of us desires lawlessness. If necessary, to suppress it, one might go even to a higher figure. There is, however, a fundamental difference of opinion on this subject. What may be a very noble object to me and a beautiful ideal to be attained may be considered as criminals by those who stick to the traditions of the past. Could I, Sir, through you, appeal to the Hon'ble Minister in charge to adopt a new angle of vision, to look at us not as people who should be locked up but as men, however unworthy, who are trying to the best of their abilities to serve the country to which they belong and for whose freedom, for whose advancement, among the nations of the world they are doing their little bit. Assurances have been given. We are grateful for some of them, but, Sir, what I would like to hear not only from the Minister in charge but from the whole Cabinet is that from now onwards the point of view and the angle of vision have definitely changed for the better. I know the present Cabinet has to suffer under the traditions of the past. Let them take courage in both their hands and let them for once decide that Bengal like the other provinces of India has also come into its own, that the criteria for judging movements, that the criteria for judging the characters of workers in the political field, in the field of labour, and, in a sense, workers in the service of the public—not necessarily Governmental but even service outside Government departments, have changed. We are all working for a common goal, for a common ideal. Let us feel and let the Cabinet make us feel that their ambitions, their ideals are in no way different from ours. I should like, Sir, the Cabinet to make a gesture once and for all that this new position has been created and that I may walk about the streets of

Calcutta with my head high and not as one who is a criminal. The police, Sir, all over India has been considered as not a department composed of angels: commissions have been appointed to investigate their highhandedness and, for the matter of that, not only the police in India but everywhere else is not considered to be the best of departments. Here in Bengal, where the police felt that it was the master of the people and not their servant, the Cabinet will have to make a bigger effort, a greater effort to bring home to us that we are now free citizens of Bengal and free citizens of India, and that we need not be ashamed of our being Indians. Once this attitude is adopted, I am inclined to think, Sir, that we shall not require such a huge amount for this department. The Criminal Investigation Department was discussed yesterday. I may speak, Sir, with some knowledge of its Political Branch and in this if I show a bit of feeling you will pardon me. Sir, the members of this terrible department can be compared only to what we have read about the Cheka, in Russia. Sir, they show an amount of vindictiveness, they show an amount of cruelty which is perhaps unexampled. I beg of the Hon'ble Minister in charge through you, Sir, to make his influence felt. Catch hold of the criminal by all means if he is a criminal, but as I have already submitted to you, Sir, the criteria will have to be new and the points of view will have to be altered considerably.

India, Sir, especially its politically-minded section, has realised that active revolutions, that direct action are no good. Under the influence of that great sage of India we have learnt that there is a weapon in our hand which is called "Ahimsa"—non-violence. Through that we can attain to heights which perhaps active revolution may not help us to attain. If the Hon'ble Minister looks at things from my point of view and if he uses his influence and looks at things from the Ahimsa angle of vision I am absolutely certain, Sir, that by January when a portion of this budget will have to be reconsidered, he might through this new point of view decide to reduce some of this huge expenditure. We do need money for nation-building departments. We want education to go ahead. We want agriculture, industries and many other national activities which are being starved to-day to go ahead. Therefore, Sir, if I can make this appeal and if it is heard even to a very small extent, I shall feel happy that my appeal has not been made in vain.

**Mr. A. M. A. ZAMAN:** (The member addressed the House in Bengali.)

(In relating an incident, the member was criticising the action of a particular police officer.)

**Mr. SPEAKER:** Mr. Zaman, I would advise you and also other members of the House in this connection that in a discussion if you want to make allegations against a particular individual, it is only fair that you should not do it in a manner which it might be difficult for him to refute, and that you should merely mention him as a certain officer and not mention his name.

**Mr. A. M. A. ZAMAN** continued speaking in Bengali and resumed his seat after reaching the time-limit.

**Mr. M. MUKHERJEE** addressed the House in Bengali, criticising the work of the district police and also of the working of the Criminal Tribes Act in the Chittagong Division.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, there is a saying in English, "Give the dog a bad name and then hang him," and I am afraid this applies very aptly to the police force in Bengal. (DR. NALINAKSHA SANYAL: Oh, oh!) (MR. JOGESH CHANDRA GUPTA: It is a "dog" nonetheless.) The police force in Bengal number 30,000 and there may be a few black sheep (A voice: Not few, but "mostly") in it. To condemn the whole police force for the sake of a few is, I think, not fair or justified. The police force has a very difficult task to perform, and naturally they are the subject of great criticism, because there are people who want the police to take action and there are people who want them not to take action, and then they are blamed for doing nothing when crimes are committed, and again they are blamed when they take up investigation because in a particular area a large number of crimes have been committed. After all, Sir, there are party factions, and the public sometimes do make complaints and bring serious charges and want the police to take action, but when the police act other parties resent their interference and say that the police are partisans and are taking part on behalf of certain people and bodies! And the reverse also takes place because the complaint is made that the police have not taken up a case because they were prevented by bribery from taking action! An illustration of this, Sir, was afforded in this House only yesterday. And may I cite another one to-day, which is the most glaring. The last speaker spoke for about five minutes about the wonderful work done by Maulvi Mukhleswar Rahman. And what a wonderful person he is! This is the impression that has been created, I am sure, after listening to the honourable member who spoke just before me. But may I inform the House that Maulvi Mukhleswar Rahman was convicted after trial in the sessions court for dacoity. Need I remind the members of this House—

**Mr. NIHARENDU DUTTA MAZUMDAR:** Mr. Speaker, Sir, may I say that this case was dismissed, and he was acquitted?

**Dr. NALINAKSHA SANYAL:** Hear! hear! The information of the Hon'ble the Home Minister is not correct.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** But I maintain, Sir, he is still in jail for dacoity.

**Dr. NIHARENDU DUTTA MAZUMDAR:** Mr. Speaker, Sir, may I draw your attention once more to the fact that the Hon'ble the Home Minister might be well advised to make more responsible statements?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** He was convicted for keeping an unlicensed gun. And, Sir, from Noakhali protests, appeals, and frantic telegrams and letters appeared in the Press from time to time for dacoities committed in that district, and that mostly from gentlemen who are now trying to criticise the action of the police for steps taken there. Sir, I fully realise the difficulties of the police, and I am prepared to admit that there are abuses that can be rectified, that there are mistakes committed that should not have been committed and also that there is room for improvement in the behaviour and conduct of the police. (Dr. NALINAKSHA SANYAL: You realise that?)

**Mr. SPEAKER:** I think, I might remind the House of the comment which was made in my absence by Mr. Sarat Chandra Bose yesterday that running commentaries should not be permitted.

**Dr. NALINAKSHA SANYAL:** But false statements can be challenged surely.

**Mr. SPEAKER:** Excuse me; it is very difficult to decide what is true and what is untrue, and once running comments are allowed, it would be very difficult to control the situation.

**Mr. SANTOSH KUMAR BASU:** The statement was admittedly false.

**The Hon'ble Mr. H. S. SUHRAWARDY:** It seems that Mr. Bose cannot control his followers.

**Rai HARENDRA NATH CHAUDHURI:** But who controls you?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** The present members of Government belong to this province and know the conditions of this province, and I, on behalf of Government, give this assurance again to-day that police excesses will certainly be severely dealt with, when the police are found to be in the wrong; but at the same time I would appeal to the public to co-operate and help by not bringing false allegations against the police. Give them their support and co-operation in the discharge of their duties, and help them in every possible way. After all, Sir, whatever may be said, the existence of crime and a large number of dacoities cannot be ignored. They are there, and cannot be denied. Then, Sir, suggestions have been made that the Police Budget should be seriously curtailed. May I inform the House that if we take away the exceptional expenditure on terrorism, then it will be found that police expenditure in Bengal compares very favourably with any similar province in India. (RAI HARENDRA NATH CHAUDHURI: Not at all; not at all.) I am positive about this fact, and I am sure about it. (Cries of "Question.") I say that compared with area and population and all other circumstances, police expenditure in Bengal compares very favourably with all other provinces in India. (RAI HARENDRA NATH CHAUDHURI: Not at all; not at all.) With regard to the remarks of my friend Mr. Siddiqui, when he talked of Ahimsa and of the determination of the people against revolution—active revolution—I am sure he must have been speaking with his tongue in his cheek, because, remembering the history of Bengal from 1930 to 1935, when the theory of Ahimsa was in vogue, I fail to see how far the people of Bengal accepted this theory of Ahimsa. (A VOICE: The police were responsible for it.) I have repeatedly assured the House that Government will always be only too glad to reduce police expenditure if conditions in the province improve, as my friend Mr. Siddiqui has suggested. Government would be only too glad if those who are in favour of violence, if those who are in favour of subversive movements changed their angle of vision and recognised the advantages conferred by provincial autonomy and co-operate with Government. By co-operation I do not mean supporting Government; although we welcome criticisms, constructive

criticisms, and constitutional opposition but what we do want is the creation of an atmosphere in the province against violence and recognition of the fact that there is such a thing as Government, Government laws and rules, and Government orders. I do not consider it possible to reduce any expenditure on police if there is a feeling amongst the people—especially amongst the intelligentsia—that they will not recognise lawful orders, that they will not recognise notifications, that they will try to deliberately violate them and create trouble. It is these acts that necessitate keeping a large police force.

Mrs. West, Sir, in her maiden speech has very ably put forward her points, and one of them referred to Anglo-Indian sergeants. I would like to inform the House that, so far as the pay of the sergeants is concerned, there is no difference between the Anglo-Indian sergeants and the European sergeants, except that the Army insists that European sergeants should be appointed to permanent posts. The result of this is that Anglo-Indian sergeants when they are taken in are taken in on a temporary basis, and when there is a vacancy in the permanent cadre, they get their promotions.

As regards the increase in the percentage of Anglo-Indian sergeants and other questions, Government are prepared to look into them.

Sir, yesterday Mr. Surendra Nath Biswas made various allegations, and to-day also various allegations have been made against the police. Most of the occurrences in respect of which these complaints have been made took place during the regime of the old Government, and they were dealt with by them in their own way. But in one particular case, Sir, reflections have been cast on the character of an officer, and what exactly do they amount to and who makes himself responsible for them? It would indeed be a curious anomaly if members of this House who are claiming the right of open trial for their friends here were in the same breath to seek the parliamentary privilege of immunity of accusing servants of the Crown guilty of punishable conduct without any shred of evidence and on mere rumour. The first hint of this alleged occurrence that Government received was in a letter received in January. It made no personal complaint, but hinted at the importance of immediate secret action to save Government from embarrassment. That letter was at once referred to the higher police authorities, who took the view that it was only a thinly-veiled attempt at blackmail. Some time after Government were able to obtain certain letters, some of which appeared to call for explanations. There was at no time any complaint from, or on behalf of, anyone who claimed to have been wronged, and no evidence which in itself would support any criminal charge. It is obviously the duty of everyone in possession of such evidence to bring it to the notice of Government. Government declined to accept as justifiable aspersions sought to be cast on an officer of

the Crown in these circumstances without convincing proof. The officer in question left India in January. He is an officer of the Regular Army, over whom the provincial Government has no longer any jurisdiction whatsoever. All the papers in this case have been referred to the Army authorities, and it is for those authorities to determine what action, if any, should be taken. Pending their decision, there is no question of the officer returning to Bengal.

Sir, I oppose the motion that has been moved.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I would not have intervened in this debate but for the appeal that was made to the Cabinet generally by my friend, Mr. Abdur Rahman, urging us to change our angle of vision and to show that with the inauguration of the Reforms a new era has set in and that Indians placed in positions of responsibility can discharge their duty to the fullest extent with qualities of moderation, of toleration and of justice and equity. I can assure my esteemed friend that the acute or the obtuse angle, if it ever existed in this country, has now disappeared and so far as we are concerned our angle is the right-angle. We the children of the soil know very well the defects and the imperfections of the police force in this country.

As for myself during my 35 years experience at the Bar, I have defended accused persons, in some cases police officers, accused of heinous crimes and I have not infrequently found that the charges levelled against police officers were absolutely groundless. (Hear! hear!) If my friends will hear me to the end, I hope I will be able to convince them that much of the criticisms that are levelled against the police are at the present moment wholly unjustifiable. I can speak of things which will take my memory back to at least half a century and I knew when we were mere children that the police officers were regarded as symbols of cruelty and oppression, of injustice, of bribery and corruption. These charges in those days were more or less justified. But the measure of public opinion, the advancement of education in this country and the recognition by the people themselves of their rights and privileges have gradually culminated in bringing about a state of things where indiscriminate oppression by police officers or bribery or corruption has become absolutely impossible. (Hear! hear!) I hope my friends will possess their souls in patience. They may disagree with me, but I am making a statement of facts based upon my own information of men and things, and I believe and I hope that the House itself, if they purge their mind of prejudice, will agree with me that the police force have improved in moral very considerably at least during the last 20 years. The rules of recruitment have been changed. Formerly any man belonging to the lowest class of society

without education and culture used to be drafted into the police force. Nowadays it is not unusual to find graduates of Universities, graduates in Art, and Law coming forward to accept appointments as police officers. Only the other day, in the course of my tour, I went to inspect a police-station and I found the officer in charge a cultured Brahmin who was so very fastidious about his literary taste that in the midst of his duties he has a small library in which he spends at least two hours every day. At the time when I went to inspect his office I found on his table "Mills' Representative Government." That is the kind of police officers that we have got now.

**Rai HARENDRA NATH CHAUDHURI:** They are very up to date.

**The Hon'ble Mr. A. K. FAZLUL HÚQ:** Rai Harendra Nath Chaudhuri will have to attain my age when he will have my experience also. That Brahmin youth struck me as a fine specimen of an Indian whom I would have considered eligible for the most responsible judicial appointment in this country. It is not infrequent. As a matter of fact, Hindu and Moslem officers recruited nowadays, from the point of view of education, are far superior to the police officers of two decades ago. Gradually, there has been this change and with the rules of recruitment Government have also enforced very rigorously the duties of supervising officers in going into the localities and making enquiries confidentially as regards the manner in which the police officers discharge their duties; and what with improved education and greater supervision, I am convinced that instances of real oppression by the police on the people is becoming more and more rare. (Hear! hear!) Hear, hear and learn. I do admit that cases do arise here and there, but may I ask my honourable friends, who are asking the House to hear, hear, to mention any single country where the police are perfect? Are the police perfect in those provinces where the Congress Ministers are in power? Are the police officers perfect in Bihar? I know of five or six instances of oppressions committed on innocent Moslems, but the police have not been able to protect them. I have got definite evidence to that effect. It is not in Bengal alone that the police officers are blamed for dereliction of duty. Everywhere in this world—(Interruptions!) I do not know, Sir, who is going to speak, the members or I.

**Khan Bahadur Maulvi FAZLUL QUADIR:** On a point of order, Sir. For the last twenty-five days when the Leader of the Opposition rose to speak there was no interruption. But whenever our Leader

risers to speak, every time he is being interrupted, and there are interruptions after interruptions. We could do a similar thing, but we never did it. I want your ruling, Sir.

**Rai HARENDRA NATH CHAUDHURI:** Mr. Suhrawardy always does that.

**Mr. SPEAKER:** I have already drawn repeated attention of the members of this House to the necessity of giving a patient hearing to the Leader of the House and to the Leader of the Opposition. It is very difficult for me to stand up in the midst of a speech and put a stop to all sorts of muttering obstructions from this side or that. I hope this will stop. But if it does not, I give my final word of warning that I shall have the painful necessity of taking drastic steps if there is any obstruction when the Leader of the House or the Leader of the Opposition speaks.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I will not detain the House very long over this question. I have got very little to say by way of contribution to the debate that has already taken place. But I would ask the honourable members of this House to remember that those who are charged with executive duties naturally make themselves unpopular. There are many here who are chairmen of district boards, of local boards and of union boards and who know that a little action taken against anybody in their sphere of work makes them unpopular. Generally, Sir, the Secretary of an Association becomes more unpopular than the President, because the President has not got much executive work to do. That is the reason why all the world over the police comes in for a very great measure of criticism. The only perfect specimen of police force, namely, the London Police Force, may have some approximation towards an ideal police force; but even they are not immune from criticism, and sometimes from very unjustified criticism. Crossing over from London to France the French police, especially in Paris, are known to be among the worst specimens of police force in the world. In European countries the police force are not perfect, neither in Japan, which is always held up as an example of the oriental country, nor anywhere in Europe or America can anyone say that police officers are ideal beings. They are after all human beings: they are entrusted with large powers and not unnaturally there are lapses and abuses of the powers that have been vested in them. I admit, Sir, and the members of the Cabinet freely admit, that oppressions do occur. We cannot say that there is no abuse in the working

of the police force in this country. But the best way to get rid of these abuses is to help the Government in the best possible way and induce the young educated men to join the ranks of the police force, and, secondly, to see that the machinery of the administration, particularly regarding the supervision of the work of the police, is properly carried on. There is no use making agitation for the diminution of the post of Inspector-General or Deputy Inspector-General or Deputy Superintendent and so forth. On the one hand you want that there should be good supervision and on the other hand there is a constant cry that many of these posts should be abolished. You cannot both eat the cake and have it. If you want greater supervision you should give us a larger number of officers. But if you take away a large number of officers for the sake of economy, it would be a false economy because there is bound to be laxity of supervision leading to the abuse of the powers with which the police officers may be entrusted. I therefore appeal to the members of this House to take a commonsense view of things. Let them realise that the police force have not only made a marked improvement, but that improvement continues and day by day and year by year we hear less and less of instances of police oppression than we used to do before. I do admit that there have been in many cases glaring acts of oppression—acts of oppression which have really sent a thrill of horror throughout the length and breadth of this country. Fortunately, these cases are becoming rarer and rarer. Let us learn to be a little more charitable to this class of public servants who in the past have had a bad reputation and who have got to get rid of their bad reputation under very trying circumstances.

I appeal to all members of this House to take that view so far as these men are concerned. I would appeal to the honourable mover of the motion to withdraw his motion. We can give him this assurance that we are as careful as we can be to look into the complaints and we are as anxious as is possible to see that cases of police oppression or police corruption become rarer and rarer.

(At this stage the Chief Minister resumed his seat after reaching the time-limit.)

**DR. NALINAKSHA SANYAL:** Sir, you were kind enough to direct that we should not make running comments when the Hon'ble Finance Minister speaks. But would you kindly allow us to place certain figures regarding police expenditure in other provinces before you?

**MR. SPEAKER:** I am sorry, unless the House wants to prolong the debate, I cannot do it.

**Dr. NALINAKSHA SANYAL:** Sir, I want only two minutes.

**Mr. SPEAKER:** I am sorry I cannot give you the time, because by agreement with the parties I have drawn up the time-table and I cannot deviate from it.

The motion of Mr. Surendra Nath Biswas was then put, and a division taken with the following result:—

### AYES.

Abdul Wahed, Maulvi.  
 Abu Hossain Sarkar, Maulvi.  
 Abul Fazal, Mr. Md.  
 Attab Ali, Mr.  
 Ahmed Khan, Mr. Syed.  
 Asimuddin Ahmed, Mr.  
 Banerjee, Mr. P.  
 Banerjee, Mr. Pramatha Nath.  
 Banerjee, Mr. Sibnath.  
 Banerji, Mr. Satya Priya.  
 Bannerjee, Mr. Monoranjan.  
 Basu, Mr. Santosh Kumar.  
 Bhawmik, Dr. Gobind Chandra.  
 Biswas, Mr. Rasik Lal.  
 Bose, Mr. Sarat Chandra.  
 Chakrabarti, Babu Narendra Narayan.  
 Chakrabarty, Mr. Jatindra Nath.  
 Chattopadhyay, Babu Haripada.  
 Chandhuri, Rai Harendra Nath.  
 Chippendale, Mr. J. W.  
 Das, Babu Mahim Chandra.  
 Das, Babu Radhanath.  
 Das Gupta, Babu Khagendra Nath.  
 Das Gupta, Dr. J. M.  
 Das Gupta, Mr. Narendra Nath.  
 Datta, Mr. Dharendra Nath.  
 Dutta, Mr. Sukumar.  
 Dutta Gupta, Miss Mira.  
 Dutta Mazumdar, Mr. Niharendu.  
 Emdadul Haque, Kazi.  
 Ghose, Mr. Atul Krishna.  
 Giasuddin Ahmed, Mr.

Gupta, Mr. Jogesh Chandra.  
 Hasan Ali Chowdhury, Mr. Syed.  
 Himatsingka, Mr. Prabhudayal.  
 Jalaluddin Hashemi, Mr. Syed.  
 Jonab Ali Majumdar, Maulvi.  
 Khan, Mr. Debendra Lal.  
 Kumar, Mr. Atul Chandra.  
 Kundu, Mr. Nishitha Nath.  
 Maiti, Mr. Nikunja Behari.  
 Maitra, Mr. Surendra Mohan.  
 Maji, Adwaita Kumar.  
 Majumdar, Mr. Hemaprova.  
 Mazumdar, Mr. Birendra Nath.  
 Mai, Mr. Iswar Chandra.  
 Maniruzzaman Islamabadi, Maulana Md.  
 Maqbul Hossain, Mr.  
 Mukerji, Mr. Dharendra Narayan.  
 Mukherjee, Mr. B.  
 Mukherji, Dr. Sharat Chandra.  
 Mullick, Srijut Ashutosh.  
 Pain, Mr. Sarada Prosanna.  
 Ramizuddin Ahmed, Mr.  
 Roy, Mr. Kamalkrishna.  
 Roy, Mr. Kiran Sankar.  
 Roy, Mr. Kishori Pati.  
 Roy, Mr. Manmatha Nath.  
 Sanyal, Dr. Nalinaksha.  
 Sanyal, Mr. Sasanka Sekhar.  
 Shamsuddin Ahmed, Mr. M.  
 Sinha, Srijut Manindra Bhushan.  
 Sur, Mr. Harendra Kumar.  
 Zaman, Mr. A. M. A.

### NOES.

Abdul Aziz, Maulana Md.  
 Abdul Bari, Maulvi.  
 Abdul Haq, Mr. Mirza.  
 Abdul Hakim Vikramপুরi, Mr. Md.  
 Abdul Hamid, Mr. A.M.  
 Abdul Jabbar, Maulvi.  
 Abdul Jabbar Palwan, Mr. Md.  
 Abdul Kader, Mr.  
 Abdul Karim, Mr.  
 Abdul Latif Biswas, Maulvi.  
 Abdul Majid, Mr. Syed.  
 Abdul Wahab Khan, Mr.

Abdulla-al Mahmood, Mr.  
 Abdur Rahaman, Khan Bahadur A. F. M.  
 Abdur Rahman Siddiqi, Mr.  
 Abdur Raschid Mahmood, Mr.  
 Abdur Rasheed, Maulvi Md.  
 Abdur Raul, Khan Sahib Maulvi S.  
 Abdur Raul, Mr. Shah.  
 Abdus Shaheed, Maulvi Md.  
 Abidur Reza Chowdhury, Khan Bahadur.  
 Abul Hashim, Maulvi.  
 Abul Hossain, Mr. Ahmed.  
 Abul Quasem, Maulvi.

Attab Hossain Joardar, Maulvi.  
 Ahmed Ali, Khan Sahib Maulana Enayetpuri.  
 Ahmed Ali Mridha, Maulvi.  
 Ahmed Hossain, Mr.  
 Alfazuddin Ahmed, Khan Bahadur.  
 Aminullah, Maulvi.  
 Amir Ali, Md. Mia.  
 Armstrong, Mr. W. L.  
 Ashrafali, Mr. M.  
 Aulad Hossain Khan, Maulvi.  
 Azhar Ali, Maulvi.  
 Bennerman, Mr. H. C.  
 Barat Ali, Mr. Md.  
 Barma, Babu Premhari.  
 Barma, Mr. Puspajit.  
 Barman, Babu Upendra Nath.  
 Biswas, Babu Lakshmi Naray.  
 Clark, Mr. I. A.  
 Cooper, Mr. C. G.  
 Croxford, Mr. L. M.  
 Das, Mr. Anukul Chandra.  
 Das, Mr. Kirit Bhusan.  
 Das, Mr. Monmohan.  
 Dass, Babu Debendra Nath.  
 Edbar, Mr. Upendranath.  
 Farhad Raza Chowdhury, Mr. M.  
 Farhut Bano Khanam, Begum.  
 Fazlul Huq, the Hon'ble Mr. A. K.  
 Fazlul Quadir, Khan Bahadur Maulvi.  
 Fazlur Rahman, Mr.  
 Fazlur Rahman Muktear, Mr.  
 Ferguson, Mr. R. H.  
 Gammeter, Mr. E. O.  
 Giasuddin Ahmed Chowdhury, Mr.  
 Golam Sarwar Hossaini, Mr. Shah Syed.  
 Griffiths, Mr. C.  
 Gurung, Mr. Damber Singh.  
 Habibullah, the Hon'ble Nawab Bahadur, K., of  
 Dacca.  
 Haftzuddin Chowdhury, Maulvi.  
 Hamluddin Ahmad, Khan Sahib.  
 Hasanuzzaman, Maulvi Md.  
 Hashem Ali Khan, Khan Bahadur.  
 Hasina Murshed, Mrs.  
 Matemally Jamadar, Khan Sahib.  
 Haywood, Mr. Rogers.  
 Hendry, Mr. David.  
 Idris Ahmed Mia, Mr.  
 Isaphani, Mr. M. A. H.  
 Jasimuddin Ahmed, Mr.  
 Kabiruddin Khan, Khan Sahib.  
 Kazem Ali Mirza, Sahibzada Kawan Jah Syed.  
 MacLauchlan, Mr. C. S.  
 Maftzuddin Ahmed, Dr.  
 Maftzuddin Chowdhury, Maulvi.  
 Maguire, Mr. L. T.

Mahtabuddin Ahmed, Khan Bahadur.  
 Mandal, Mr. Banku Behari.  
 Mandal, Mr. Birat Chandra.  
 Mandal, Mr. Jagat Chandra.  
 Miles, Mr. C. W.  
 Millar, Mr. C.  
 Milne-Robertson, Mr. C. E. L.  
 Mohsin Ali, Mr. Md.  
 Morgan, Mr. G., C. I. E.  
 Moslem A i Mollah, Maulvi.  
 Mozammel Huq, Maulvi Md.  
 Muhammad Afzal, Khan Sahib Maulvi Syed.  
 Mohammed Ali, Khan Bahadur.  
 Muhammad Ishaque, Maulvi.  
 Muhammad Israhi, Maulvi.  
 Muhammad Siddique, Cr. Syed.  
 Muhammad Solaiman, Mr.  
 Mullick, the Hon'ble Mr. Mukunda Behary.  
 Mullyck, Mr. Pulin Behari.  
 Musharruff Hossain, the Hon'ble Nawab, Khan  
 Bahadur.  
 Mustagawal Haque, Mr. Syed.  
 Mustafa Ali Dewan Sahib, Mr.  
 Nandy, the Hon'ble Mahargja Sris Chandra, of  
 Kasimbazar.  
 Nasarullah, Nawa'zada K.  
 Nausher Ali, the Hon'ble Maulvi Syed.  
 Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.  
 Nimmo, Mr. T. B.  
 Patton, Mr. W. C.  
 Rahman, Khan Bahadur A. M. L.  
 Raikat, the Hon'ble Mr. Prasanna Deb.  
 Rqjibuddin Tarafdar, Maulvi.  
 Roy, Babu Patigym.  
 Roy, the Hon'ble Sir Bijoy Prasad Singh, Kt.  
 Roy, Mr. Dhananjoy.  
 Sadaruddin Ahmed, Mr.  
 Safruddin Ahmed, Haji.  
 Salim, Mr. S. A.  
 Sarkar, Babu Madhusudan.  
 Sarker, the Hon'ble Mr. Nalin Ranjan.  
 Sassoon, Mr. R. M.  
 Serajul Islam, Mr.  
 Shahabuddin, Mr. Khawaja.  
 Singha, Babu Kshetra Nath.  
 Steven, Mr. J. W. R.  
 Suhrawardy, the Hon'ble Mr. H. S.  
 Tamizuddin Khan, Maulvi.  
 Thakur, Mr. Pramatha Ranjan.  
 Totel Ahmed Chowdhury, Maulvi Haji.  
 Waliur Rahman, Maulvi.  
 West, Mrs. Ellen.  
 Wordsworth, Mr. W. C.  
 Yuruf Ali Chowdhury, Mr.  
 Zahur Ahmed Chowdhury, Mr.

The Ayes being 64 and Noes 132, the motion was lost.

The motion that a sum of Rs. 2,09,08,000 be granted for expenditure under the head "29—Police" was put and agreed to.

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** Sir, on the recommendation of His Excellency the Governor of Bengal, I beg to move that a sum of Rs. 76,27,000 be granted for expenditure under the head "27.—Administration of Justice."

It is not usual for a man occupying my position to inflict a speech here just at the introductory stage, but a lot of misunderstanding will be cleared if I would tell my friends at the outset the financial implication of the budget estimate I have presented to the House. Sir, out of 76 lakhs I can point out one item, namely, 64 lakhs which is spent for the Courts of Sessions Judges, Subordinate Judges and Munsifs. Of this about 21 lakhs go for the pay or salary of the officers, I mean Sessions Judges, Subordinate Judges, Assistant Sessions Judges and Munsifs; 34 lakhs go for establishment charges and 10 lakhs go for miscellaneous expenditure. So out of 76 lakhs that I ask you to grant really 64 lakhs are earmarked just for carrying on the administration of the country, and you ought to know---

**Mr. SPEAKER:** Nawab Sahib, you are to address the Chair and not the members.

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I am really addressing the Speaker, but in doing so it is not always necessary that I should look to him.

**Mr. SPEAKER:** The Nawab Sahib has misunderstood me. If you are addressing the Speaker, you should not say "you ought to know."

**The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur:** Out of these 34 lakhs of rupees that are meant for the pay of peons and clerks, I do not believe there can be any objection from any quarter. There remains just 21 lakhs of rupees which the country is to spend for getting justice. If you want to see that your quarrels are to be adjudicated upon, if you want to get some sort of satisfaction against the action of the officers whom you tried to denounce just now, it is my department who can give you that relief. It is on this ground I can tell you that the High Court has been practically made immune from all criticisms of this House. I do not mean to say that to-day you will have no opportunity of discussing the demand, but I should tell you that, really speaking, under section 228 of the Government of India Act, the High Court with all its expenditure is to be treated as

closed department and the demand is not votable. So what I want to tell you is this, that the whole administration of the country can go on merrily if Judiciary can be kept absolutely immune from any interference from the Executive. With this object in view, really speaking, the demand for the High Court has been considered to be non-votable. If it is thought that the High Court has lost its independence, that the High Court is not doing justice and if you have no confidence in the High Court, the whole structure of the Government will crumble to pieces. Make the High Court as much independent as possible, place your case before that independent tribunal, and I am fully sure that all the trouble in the country will disappear. Sir, that being the position, I hope the trend of our discussion will completely change and we will find not the same acrimonious debate taking place on the floor of the House as we saw during the last two days. My friend Mr. Biswas, when he raised a point of order yesterday, quoted some passages from the finding of a Judge of an unknown place and this shows that just an opinion expressed by a Judge has been taken so seriously and shows a sentiment of respect for the Judicial system. I appeal to you, Sir, and through you to the House that my grant is not to be taken as a grant for inflicting a *calum* on anybody. It is really a grant which you will have to make just for the safety of your life and property in the country. If that is so, I hope you will pass it without any censure motion. With these few remarks, Sir, I beg to place my demand before the House and I hope the House will pass it.

**Rai HARENDRA NATH CHAUDHURI:** On a point of order, Sir, the Hon'ble Minister has just said that the High Court with all its expenditure is a closed department. We were under the impression that the High Court was going to close for the Poojah vacation.

**MR. SPEAKER:** Mr. Rai Chaudhuri might have avoided raising this point of order, as I myself was going to take notice of it. I think there might be some misapprehension as a result of the statement of the Hon'ble Minister. I think the implication of section 79 is not properly understood. Section 79 says that "So much of the estimates of expenditure as relates to expenditure charged upon the revenues of a province shall not be submitted to the vote of the Legislative Assembly, but nothing in this sub-section shall be construed as preventing the discussion in the legislature of those estimates other than estimates relating to the salary and allowances of the Governor." I may at the outset say that in this discussion there cannot be any reflection on the conduct of any court of justice, but subject to that it will be open to the House to discuss the demand even though it is not subject to the vote of the House.

(At this stage the House was adjourned for fifteen minutes.)

(After Adjournment.)

**Mr. DHIRENDRA NATH DATTA:** Sir, I beg to move that the demand of Rs. 76,27,000 for expenditure under the head "27—Administration of Justice" be reduced by Rs. 100.

Sir, the total grant on the administration of justice is Rs. 1,03,89,000. Of this sum Rs. 76,27,000 is votable and the balance of Rs. 27,62,000 is charged on the revenues of the province. This is the constitution which we have got and this is the provincial autonomy. The administration of justice can be mainly divided into five heads, namely, the High Court, the Civil and Sessions Courts in the districts, the Presidency Magistrates' Courts, the Courts of Small Causes and the legal officers. As to the High Court, I shall not say much, nor am I in a position to speak much. Moreover, the whole amount is charged on the revenues of the province. In this matter, I want to tell the House that under the old Government of India Act we had the right to refuse to assent to the pay of the establishment of the High Court. Under the new Act that power has been taken away. We cannot curtail the number of the peons of the High Court nor can we reduce the pay of a peon of the High Court by a single pie, not to speak of the Judges. The salaries of the High Court Judges are sacrosanct. It has been provided in the Government of India Act. But in this connection I want to tell the House that the estimated cost this year on the head High Court is Rs. 18,09,000. But the actual expenditure in the year 1933-34 was Rs. 16,47,000 and in the year 1934-35 Rs. 16,29,000. The expenditure, therefore, is on the increase. We feel and I hope the members of the House will agree with me that as a matter of fact there is sufficient room for retrenchment. The number of Judges of the High Court can be safely reduced without affecting efficiency of the department. The High Court remains closed for six and half months; it does not sit on Saturdays; it sits up to 4-30 p.m. and not up to 5. By cutting down the number of holidays the number of Judges can be reduced; but this is not to be, because the number and the salaries of the High Court establishment are sacrosanct. Before I come to the other subject, I wish to refer to one other matter, namely, the cost of the paper books. Sir, from my experience as a lawyer I can say that the cost of the paper books has been ruinous among the litigants, and many litigants have been deprived of justice because they could not afford to pay for paper books. So the whole system requires overhauling.

Next, Sir, I shall come to the civil courts and sessions courts. I shall first of all touch on the system of recruitment. Sir, an Indian Civil Service officer joins the post of an Assistant Magistrate in a district and in the course of a year and a half he is placed in charge of a subdivision. He rules the subdivision with executive zeal for three years. In the course of three and half a years he is suddenly

placed in charge of the civil administration of the district to hear appeals from the Subordinate Judges. In this connection, Mr. Speaker, will you allow me to read an extract from the despatch which was sent in 1907 from the Government of India to the Secretary of State. It reads thus:—

“It would be difficult to exaggerate the political dangers of the present situation or the importance of effecting a material improvement in the capacity, training and status of the Indian Civil Service Judges. It is impossible at any rate in the advanced provinces to justify a system under which a gentleman, who has no knowledge of civil law and who has never been inside a civil court in his life, can be and often is at one step promoted to be a Judge of Appeal in civil cases and to hear appeals from Subordinate Judges who are trained lawyers with years of legal experience. Incompetent men cannot retain their position in the face of a well-founded criticism which is becoming more and more searching as time goes on. On public grounds, it is imperative that drastic steps should be taken to remove this blot on our administration.”

This was written in 1907 and this also applies to the year 1937. On the other side, a Subordinate Judge who always deals with civil cases through his life, at the far end of his career becomes an Additional Sessions and District Judge to try important sessions cases; how he can try cases relating to the lives and liberties of the people can easily be imagined.

Then I come to the present system of recruitment of munsifs—they are recruited from the B.Ls. immediately after passing their examinations without any legal knowledge and without practice in law courts—this is also bad. I hope that the members of the House will agree that as a matter of fact the Judiciary should be recruited from the members of the Bar, i.e., from those members who have shown marked abilities in their profession.

The next thing that I wish to draw attention to is the cost of the administration. In this connection, as to the Indian Civil Service Judges' pay, we cannot touch it. But even in the Swan Committee Report it was suggested that there should be a revision of pay in the cadre of the Indian Civil Service officers. This committee suggested that the pay of the Indian Civil Service officers should be from Rs. 375 to Rs. 1,500 ordinarily. But so far as the subordinate judiciary is concerned, namely, the munsifs and Subordinate Judges, the old scale of pay, as we know, was ranged from Rs. 200 to Rs. 400 for munsifs and Rs. 500 to Rs. 800 for Subordinate Judges—that was old scale of pay before the year 1919. In the year 1919, on the eve of the Reforms, this scale of pay was revised, and the pay of the munsif was fixed from Rs. 275 to Rs. 700 and the Subordinate Judge Rs. 750 to Rs. 1,200. It was given effect to on the 1st of December 1919. The reason for the revision of the scale of pay in 1919 was that the cost of necessities

of life had increased and the scale of pay also should be increased accordingly. On the eve of the Montagu-Chelmsford Reforms the cost of the administration was thereby increased, and look here, Sir, in order to balance the budget, what was done: the litigants' cost was also increased by amending the Court-fees Act which increased the rate of court-fee and stamp duty was enhanced by 50 per cent. and the Bengal Amusement Tax Act was then passed. Sir, at the time when these taxes were imposed, promises were held out that as soon as the Meston Settlement would be revised, the yield from these taxes would become available for the nation-building departments. That was the promise given by no less a personage than His Excellency the Governor of Bengal—I mean Lord Ronaldshay now Marquis of Zetland, the Secretary of State for India. We know the promise that was given has not been fulfilled. It is a case of a broken pledge. Regarding the pay of the Judiciary it seems to me that there is a difference in outlook between ourselves and the Hon'ble Minister in charge of Finance. The Hon'ble the Finance Minister in replying to the discussion on the budget, told us that the scale of pay that had been revised had been done by the past Government. The pay of the munsifs is moderate, and it cannot be touched; that is sacrosanct. It was said also in replying to a cut motion on the general administration. But we think that the scale of pay in the case of munsifs should begin from Rs. 150 to Rs. 400 and in the case of the Subordinate Judges it should end at Rs. 500, i.e., the scale of pay of the Subordinate Judiciary should be from Rs. 150 to Rs. 500. I hope the House will agree with me in this matter. As a matter of fact, in this matter there is a difference in the outlook. The Hon'ble Ministers feel that the prestige of the service lies in higher emoluments, but we feel that the prestige of service lies in honesty and in character.

As a matter of fact, Sir, justice should be cheap and expeditious and it should not be the luxury of the rich and the joy of the gambler as it is now.

In this connection, with regard to the cost of administration so far as the subordinate judiciary is concerned, I must tell you that it is high time that their scale of pay should be revised at once. The next thing that I shall say with respect to the cost of administration is that I find on a reference to the budget that an additional expenditure of Rs. 40,000 has been provided, which is involved in the introduction of the new High Court Rules and Orders, and an additional cost of Rs. 30,000 for additional staff in the civil courts, presumably necessitated by the introduction of the new High Court Orders and Rules. Sir, these rules have been framed not under section 122 of the Civil Procedure Code under the rule-making powers of the High Court. They do not form part of the sections, nor do they form part of the rules of the Civil Procedure Code. They have been framed—I may say I know how they have been framed—they have been framed in the

closed room of a favourite judicial officer of the Registrar of the Hon'ble High Court on the Appellate Side. Sir, they are quite illegal and they take away the discretion vested in the Judicial officers by the Civil Procedure Code. They have had the effect of sacrificing justice to expedition; they have created a tendency in the Judicial officers to turn out quantity at the sacrifice of quality; and, Sir, what can the poor Judicial officer do? I know of a Subordinate Judge, a very capable and a very competent officer, who was an Assistant Sessions Judge, but his claim to District Judgeship was superseded because he allowed an adjournment to parties to effect a compromise in the case. This is the position of a Subordinate Judge; what can he do? These rules have increased the burden of litigation. Mr. Speaker, Sir, I can multiply instances, but I shall not do so lest I lengthen my speech. Under order 21, rule 72 of the Civil Procedure Code, when a decree-holder wants to bid at the sale in execution cases, he is required to file an application as he has got to ask for permission to bid at the sale. But under the new rules, not only is he required to file a petition, but he has to swear an affidavit in support of his petition which entails an additional expenditure of Re. 1-0-3. If there is delay even of five minutes in filing the petition for time in any case the party is required to file another petition to explain the delay. And not only this, Sir. He has in addition to swear an affidavit thus entailing a cost of Re. 1-12-3, thereby. This is the effect of the new rules and orders of the Hon'ble High Court, which however are applicable only to the subordinate judiciary.

Before I take my seat, I cannot but refer to the corruption which has been prevailing in our courts—civil, criminal and revenue. It is an obnoxious thing. This corruption has been going on for a long time past; practically it is illegal *abwab*, but it is licensed and it seems to be done under the connivance of the Judicial officers; it has tainted the administration of justice—

**MR. SPEAKER:** Mr. Datta, you must withdraw your expression regarding the connivance of Judicial officers.

**MR. DHIRENDR NATH DATTA:** All right, Sir. I do so. It has tainted the administration of justice; it has affected the dignity of persons and has really increased the cost of litigation and has affected those persons who come to courts in quest of justice. The All-Bengal and Assam Lawyers' Association have objected to these rules—they have drafted a memorial to the Hon'ble High Court; they have filed a memorandum, but in spite of these objections these rules have not been changed, but I am sure that they will not be changed so soon because the rules are the handiwork of a favourite officer of Government, who is tinged with the deepest dye of bureaucracy.

With regard to the judiciary, I have one other word to say. I think I should refer to the treatment that these officers accord to the litigants. These Judicial officers make the litigants feel that they are the masters and not the servants—

(At this stage the member having reached the time-limit, resumed his seat.)

**Mr. F. C. BRASHER:** Mr. Speaker, Sir, in rising on behalf of the European Group to oppose this cut motion, may I say first of all that I have listened with great interest and great attention to what Mr. Dharendra Nath Datta had to say. The honourable member is a practising lawyer and of greater experience and seniority than myself, and I find myself, notwithstanding the fact that we belong to different parties in this House, in agreement with a great deal of what he has said. May I, however, first of all join issue with him on one point, and that is on the question of the pay of the judiciary—particularly the subordinate judiciary? I think there is one principle which we may all of us agree upon, and that is that the labourer is worthy of his hire. I have some small experience of mutassal courts and of the subordinate judiciary, although that is a phrase that I dislike intensely. I might perhaps suggest to the Hon'ble Minister that it is high time that a change is made in nomenclature, and that, instead of the word "subordinate" we should use the word "civil." In other words, we may refer to a Subordinate Judge as a "Civil Judge"; but that, Sir, is perhaps beside the point now. What I wish to say is this, that in my small experience of the subordinate judiciary, I have found them to be men both of great integrity and of great learning, and it seems to me that if any question of the revision of their pay is raised it should be upward rather than in the downward direction. Let us for instance take the pay of Subordinate Judges. I believe I am correct in saying that under the new scales of pay a Subordinate Judge commences with a salary of Rs. 650 and rises to a salary of Rs. 750 per month. On the other hand, Subordinate Judges have practically an unlimited pecuniary jurisdiction, and that is not an excessive sum to pay to a Judge who may have to try—and very often does try—suits involving lakhs of rupees. I would, therefore, most strongly differ from the suggestion that there should be any question raised about the reduction of their pay.

Let me now turn for a moment to another subject, a subject upon which my honourable friend, I hope, will agree with me and which I suggest is worthy of serious consideration. At the present moment the administration of justice in Bengal is a very paving proposition to the Government of Bengal. Sir, when I went through the budget estimates of this year for the administration of justice I was amazed

at the surplus between expenditure and revenue under this head. The House will, I trust, accept my figure when I say that the surplus of receipts over expenditure is over 1½ crores of rupees so that, although the Hon'ble the Finance Minister may not agree with me, I would like to say that it seems to me that the whole of the estimated surplus of revenue of the Government of Bengal during the current year is derived from the administration of justice. It opens up a most enchanting prospect. I would suggest to the Government of Bengal that it might be possible to incorporate a company to take over the administration of justice in this province, so that Government might derive all the profit without any of the risk. One might perhaps endeavour to be humorous on this subject, but it is a subject which is too serious for humour.

Admittedly, high court fees are designed for two purposes—the first is to meet the cost of administration of justice and the second is to discourage frivolous and unnecessary litigation. If the administration of justice in this province were such that one could feel that there was absolutely no improvement which could be made in it, then I do not think that any member of this House could complain at the surplus being utilized towards the general revenues of the province. But, Sir, with the utmost respect I venture to suggest that that is not the position. I am of opinion that there are a great many directions in which there is room for considerable improvement and which call for increased, not decreased expenditure. In particular, I would like to take two questions—first of all, the question of delay, in the civil courts in particular, and, secondly, the question of the buildings in which the judiciary are housed. I use the word “buildings” with a certain amount of diffidence, because I am afraid it is too grand a word to use in some cases. Take, first of all, the question of delay. One of the greatest constitutional lawyers of modern times—I refer to Dicey—has said that there are two necessities in the administration of justice. The first, that it should be swift and the second, that it should be certain. As regards the second qualification, I have no comments to make. My own impression, the impression of a very humble practising lawyer, is that, on the whole, the administration of justice on the civil side is very fairly and reasonably conducted, but there is no doubt that there is very serious delay in a very great many cases; the reason for that delay seems to me in many cases to lie in the lack of funds. I would take one instance: A Civil Judge has to hear long and protracted cases. He has to take down all the evidence himself, to record the evidence in his own hand; he has at the same time to try and listen to the manner in which examination and cross-examination of witnesses are conducted, and that, as we all know, is a very important matter which may have a considerable bearing on the case. I would, therefore, suggest that one of the ways in which the

present delay might be obviated is to consider whether or not, as in the Original Side of the High Court, there should be official shorthand-writers, who may be utilized, at any rate as an experimental measure, for taking down evidence, judgments, etc. I could have dwelt on this subject more fully if I had more time. But might I in passing say that it seems to me unfair to expect any Civil Judge to work more hours than any human being can possibly work, and that there is a very considerable need for an increase in the number of Judicial officers? So far as criminal courts are concerned, I can say from personal experience that a case which took twenty or thirty days could probably have been disposed of within half that time if some efficient arrangement for the recording of evidence had been available.

The other point I would like to mention is with regard to the question of housing of the judiciary. In this connection I would refer to the Chief Presidency Magistrate's Court in Bankshall Street. I should like to say that it is a wonder that Magistrates who have to work in that building are able to work as efficiently as they do. I submit that the building is a standing disgrace to any Government in any part of the world.

With these few words I would like to thank the House for listening so patiently to my maiden speech.

**The Hon'ble Mr. NALINI RANJAN SARKER:** I am grateful to Mr. Dutt as I have got to-day some constructive suggestions from him. For the last few days we had been hearing criticisms on various matters, but no constructive suggestions. In this debate Mr. Dutt has given certain constructive suggestions and I can assure him that we shall give his suggestions very careful consideration and at the next budget session I hope I shall be able to report what steps we can take. He complained that in my budget statement and in replies to the discussions I have said that for the prestige of the officers this grade of salary was necessary. He completely misunderstood me. I have never put up the claims of the officers on the ground of prestige. What I said was that the previous Government had revised the scales of salaries of both the Executive and Judicial Services and the revised grades compared with those prevailing in other provinces were much lower. So under the prevailing conditions one could hardly reduce them any further.

As my predecessor has said, the starting pay of the munsifs formerly was Rs. 275, but now it is Rs. 175 rising to a maximum of Rs. 600. Subordinate Judges' grade was Rs. 750—850 with a selection grade of Rs. 1,000, but now it is Rs. 650—750. What I wanted to impress upon the House was that our predecessors in office had cut down the salaries to a figure which no other Government have yet been able to do. I

have just received a copy of the budget estimates which was presented to the Bihar Legislative Assembly. There I find the following provision for the Judicial Service:—

	Rs.
1 Subordinate Judge	1,200
2 Subordinate Judges at	1,000 each
2 Subordinate Judges at	850 „
12 Subordinate Judges at	800 „
7 Subordinate Judges at	750 „
9 Munsifs at	700 „
7 Munsifs at	650 „
2 Munsifs at	600 „
8 Munsifs at	550 „
7 Munsifs at	500 „
12 Munsifs at	400 „
13 Munsifs at	340 „
8 Munsifs at	200 „

**Rai HARENDRA NATH CHAUDHURI:** Are these new appointments?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I am not saying that they are new appointments or that they start with Rs. 175 in their new appointment. What I was going to say is that no other Minister, not even a Congress Minister, has been able to do what the previous Government have done here.

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir. We have heard several times references made to the action of Ministers in other provinces. Is it in order to make such references?

**Mr. SPEAKER:** I think it is in order when comparing our figures with those of other provinces.

**The Hon'ble Mr. NALINI RANJAN SARKER:** I mean no disrespect to the Ministers in other provinces. I made this perfectly clear. What I said was that they as well as ourselves had not got sufficient time to reorganise the system and neither could reasonably be blamed.

**Rai HARENDRA NATH CHAUDHURI:** The only difference is that you have been in office for five months while they have been in office for three weeks.

**The Hon'ble Mr. NALINI RANJAN SARKER:** Yes, there is some difference between five months and three weeks. In three weeks they tried to suggest some retrenchment and the only retrenchment that they have been able to suggest so far was to substitute the cap for *pugree*, and they also found time to introduce new taxation proposals.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister entitled to criticise the action of Ministers of other provinces?

**Mr. SPEAKER:** I am afraid I have ruled definitely that if the action of anybody who is not subject to the restrictive provisions of this House comes in incidentally, it is perfectly in order for the Finance Minister to bring it in. But I should like to make it clear both to the Ministers and the members in this connection that when reference is made to the Ministers of other provinces and other countries it should be done with courtesy and regard.

**The Hon'ble Mr. NALINI RANJAN SARKER:** Sir, in the budget discussions some hon'ble members opposite had suggested that I should wait for the model budget of a Congress Minister, that is why I am making a reference to them. The Hon'ble Ministers of Bihar, I find from newspaper reports, have tried to reduce the police expenditure and made an experiment to guard the Assembly Hall with volunteers. But subsequently I hear that the experiment did not prove successful and the services of the Police officers had to be requisitioned. I am not saying all these things in a spirit of disparagement.

**Mr. DHIRENDRA NATH DATTA:** On a point of order, Sir, is this not irrelevant?

**Mr. SPEAKER:** I am sorry I have to rise so often; but as it is an early stage of Parliamentary Government, I think I ought to give some guidance. In discussing the budget of this province, I think it is quite open to make comparison with other provinces. You ought to remember that in the general discussion of the budget you quoted figures from all the countries of the world; so, I don't see how the question of irrelevancy comes in.

**The Hon'ble Mr. NALINI RANJAN SARKER:** So far as the curtailment of expenditure is concerned, we shall try our best to effect this in time consistent with the efficiency of the administration.

Mr. Brasher said that we were making profit on the administration of justice. That is a heritage which we have inherited from our predecessors. If that system is to be changed, then I will ask Mr. Brasher to start another company for police administration in Calcutta, and I am sure the business community will be liable to pay more taxes to

meet the deficits of that company.' The different administrative departments of the Government are not so divided yet that each of the services might be separately paid for, so that the taxes and revenues which the State collects are pooled together and spent in different directions. If the advice given by Mr. Brasher is logically pursued, I think it is a proposal which will not be liked by the business community.

The other points raised by Mr. Dharendra Nath Datta and Mr. Brasher will be replied to by the Hon'ble Judicial Minister.

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I have never been in the habit of provoking the opponents. I do not like to compare Bengal with Bihar. Bihar is in the hands of just a few novices who can make experiments. We can make no experiment. We have sufficient knowledge of the art of administration, and I do not like to quote chapter and verse from the actions of people who have just begun the art of administration of the country. They were always thinking as to how they could obstruct. All on a sudden to think to come forward with constructive programmes to run the Government is a thing which no one expected from them. I want to stand on the experience that we have actually gained in the administration of the country. I can assure my friends opposite that the work that is being done by the judiciary does not justify any reduction in the salary. After all what is the present pay that has been agreed upon by the Government—only Rs. 170 to start with. I am of opinion that Rs. 170 is not enough even for a clerk holding a decent position to live on. Rs. 170 is not too high an amount to be paid to one of our Judges who have to work very hard. Some of my friends said that the salary of Judicial officers should not be Nawablike. I say it is not at all Nawablike for a man whom you have selected as one of your Judges. A Judge must get such pay that he can live with dignity, and I may tell you in all seriousness that Rs. 160 or Rs. 170 is not considered to be a gentleman's wage.

**Mr. M. SHAMSUDDIN AHMED:** Are we to understand that the members of the Assembly who have been granted a pay of Rs. 150 a month are not gentlemen?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** Besides the salary of Rs. 150 my friends should not forget that they draw Rs. 12-8 a day as allowances.

My friend, Mr. Dharendra Nath Datta, considers that Rs. 170 is a very high salary for the future Judges of Bengal; but I am sorry that I am not at one with him. I thought that I would have a more dignified proposal from him, but I am sorry I missed it this time. I

hope that next time when he rises to speak, he would suggest more pay for these officers. He has also pointed out some difficulties he has experienced, and he suggests that these should be removed. He has alleged that in the course of three years or so members of the heaven-born service, the Indian Civil Service, rise to the position of District Judges, whereas Subordinate Judges after a training of 25 to 30 years become Judges. As far as I know, it is true that Indian Civil Service officers are appointed District Judges a little bit earlier than Sub-Judges, but I do not think that in three years' time a member of the Indian Civil Service is appointed a Judge of any district. Even if it be so, I may tell you that it is not my job—it is the job of the Home Department and the High Court. If the Home Department and the High Court appointed a District Judge with only three years' training as a Judge, I would denounce them as strongly as you would. I should, however, say that it is not a fact and it cannot be a fact; it is beyond human conception that a man with just three years' training in the Judicial Service will be lifted up to the position of a District Judge. So under the circumstances of the country, I do not think that my friend's allegation is justified.

Then, I come to the question of the recruitment of munsifs. My friend, Mr. Datta, has charged us that we have been recruiting munsifs without any legal training. But I may tell my friends that so far as these appointments are concerned, my friends ought to know that the selection has been made by the respected High Court Judges over whom this poor Government has no control. If the High Court in the past has done the selection in the wrong way, my friends cannot pass a censure motion on a Minister who has had nothing to do with the matter. If my friends are really in earnest and do not suggest it as a matter of joke (Cries of "No, no"), I would ask them to wait for some time and to see whether under the administration of the Judicial Department some change is effected or not. (Hear! hear!) I can assure you, Sir, that we are people who are actuated by a desire to do good to the country; and if the opinion of the House is that they want to change the rule of recruitment to the Judicial Service, and that recruitment should be made from the members of the legal profession, i.e., from those who have had a good legal training in the country, then I will not hesitate to prevail upon my friends in the Cabinet to alter the rule of recruitment. (Hear! hear!) I think that in the interests of better administration of justice in the country, we should give scope to able lawyers who have displayed their talent at the Bar and thus remove the anxiety which is in the minds of my friends.

**Mr. PRAMATHA NATH BANERJEE:** Sir, I rise on a point of information. Does the Hon'ble Minister mean that the lawyer-members of this House are to be appointed munsifs.

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**

Sir, here we are concerned with the appointment of munsifs and Mr. Datta has raised the question of recruitment, to which I am replying. I am not enunciating any new policy of Government; I am simply replying to the debate which has taken place here. If my friend is disappointed, he should, I think, keep quiet for some time, and I hope he will find that his subject will be taken up.

Sir, Mr. Datta has very ably suggested to the House that corruption prevails in the civil courts and has asked me to accept this cut motion as a whipping from him. I may tell my friends that I do not accept the proposition that officers, I mean clerks, are as a rule dishonest. (Hear! hear!). I may tell my friends this much that if clerks are dishonest, they owe their dishonesty to the action of my friends, the lawyers. (Hear! hear!). Practising lawyers in order to get a little bit of advantage from the clerks tip the clerks from time to time.

**Mr. ABDULLA-AL-MAHMOOD:** Sir, does the Hon'ble Minister mean that all practising lawyers are dishonest?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**

Now, Sir, if a man is accused of a dishonest act, there must be two parties to it; one party is the humble clerk and the other party is the person who gives the money. If you say that I accept the money, there must be a hand which gives me the money—

**Dr. NALINAKSHA SANYAL:** Sir, will the Nawab Sahib raise his hand?

**Mr. SPEAKER:** Dr. Sanyal, I think you ought to have some sense of humour.

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**

Sir, I think what I have said is a sufficient reply to the accusation made that our clerks receive bribes for doing some favour. My friend ought to consider whether I deserve a whipping from him for some action of my clerks. I do not wish, however, that bribery and corruption should prevail and that it will ever be brought up in the next budget debate. (Hear! hear!) I give this much assurance to one and all of this House that if any of them can bring to the notice of Government any act of dishonesty on the part of any officer or clerk, I will take drastic action against the delinquent. (Hear! hear!) So I appoint my friends as my agents for the purpose of detecting persons actually taking bribes. If this bribery be so very rampant, I give my

friends the authority of prosecuting the dishonest men. This probably disposes of all the points raised by my friend, the mover of the cut motion.

**Mr. SPEAKER:** Nawab Sahib, I want to know whether you would finish soon or you would take long.

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** Sir, I am in the hands of the House. I think I have disposed of all the points that I have to reply to. I would ask my friends to consider the position very seriously in view of the statement I have made before the House. (A voice: "What about High Court Rules and Orders?") I am still on my legs. If I have missed any point my friends will remind me. As regards High Court Rules and Orders, you know the High Court is independent, the High Court may be considered as an autonomy within the autonomy. If the Judges consider that they are autonomous and if the criticisms in this House do not reach them, or do not touch them and the proceedings of this House do not reach them, what can I do, my dear friends? (Laughter.) I think that some representative of the High Court would have been present here to communicate to the Hon'ble Judges of the High Court that their actions in framing certain rules are being very seriously debated upon and that they should think twice before they continue to work on that line. The High Court has made certain rules and, if as you say, they are not according to law, why are you carrying them out, why don't you non-co-operate? As you cannot non-co-operate, it shows that they have got the power to make the rules. As I have said, I have no authority over the High Court to ask them to modify the rules because they are autonomous. That being the position, I hope this healthy debate will bring in, will usher in a new era, and I hope I will not have to rise again, and beg pardon of you all for any delinquency that might have been done by others. (Cries of "No, no.") I place the facts before you, Sir, and I hope you will judge from what I have said that so far as this Government is concerned, it is absolutely sinless and pure. (Loud applause.)

The motion of Mr. Dharendra Nath Datta, that the demand of Rs. 76,27,000 be reduced by Rs. 100, was put and lost.

The motion that a sum of Rs. 76,27,000 be granted for expenditure under the head "27—Administration of Justice" was then put and agreed to.

### Adjournment.

The House was then adjourned till 3-45 p.m. on Thursday, the 26th August, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 26th August, 1937, at 3-45 p.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, the eleven Hon'ble Ministers and 214 members.

**STARRED QUESTIONS**

**(to which oral answers were given)**

**Examination for the recruitment of Secretariat stenographers.**

**\*83. Mr. SYED JALALUDDIN HASHEMY:** (a) Is the Hon'ble Minister in charge of the Finance Department aware—

- (i) that an examination was held on the 24th April, 1937, at the Government Commercial Institute Building, Calcutta, for the recruitment of Secretariat stenographers;
- (ii) that previous to the said examination advertisements appeared in some local newspapers and the *Calcutta Gazette* wherein it was stated that outsiders might apply for competing at the examination provided they had a speed in shorthand at the rate of 120 words per minute;
- (iii) that a fee of Rs. 10 was paid by the candidates;
- (iv) that at the time of examination the candidates were divided in four different batches and dictation was given to them at a varying speed of 120 to 160 or 170 words per minute;
- (v) that the outside candidates who sat for examination expected that the dictation would be given at the rate of 120 words per minute as mentioned in the advertisements; and
- (vi) that the dictation given to four different batches of candidates were not of the same nature?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state whether he is considering the desirability of holding another examination before the posts of stenographers in the Secretariat are permanently filled up with instructions—

(i) that another chance may be given to all the candidates who sat for the examination in April last; and

(ii) that dictation is given at the speed mentioned in the advertisements to all at the same time (and not in batches)?

**MINISTER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker):** (a) (i) to (iv) Yes.

(v) I have no such information, but if any of the candidates expected that the dictation would be given at the rate of 120 words per minute, they misread the advertisement: the speed of 120 words per minute was the minimum qualification for a candidate for admission to the examination.

(vi) No.

(b) No.

#### **\*Secretariat and heads of departments' stenographers.**

**\*84. Khan Sahib Maulvi SYED MUHAMMAD AFZAL:** (a) Is the Hon'ble Minister in charge of Finance Department aware—

(i) that after the introduction of the Bengal Services (Revision of Pay) Rules, 1934, the ordinary stenographers of the Secretariat were given an increased scale of pay;

(ii) that the stenographers serving under heads of departments were not given an increased scale of pay and that their scale of pay was reduced; and

(iii) that the stenographers under the heads of departments have to work under officers most of whom are members of all-India services including some members of the Indian Civil Service?

(b) Will the Hon'ble Minister be pleased to state what are the differences between the maximum salaries of these two classes of stenographers before their revision of pays and after?

(c) Is the Hon'ble Minister considering the desirability of redressing this differential treatment by improving the scale of pay of stenographers under the heads of departments proportionately with the scale of pay of the Secretariat stenographers?

**The Hon'ble Mr. NALINI RANJAN SARKER:** (a) (i) No; in the old rates of pay there were two scales, one higher than the other. In the revised rates these were replaced by one scale whose maximum is lower than the maximum of the higher of the two old scales.

(ii) and (iii) Yes.

(b) A statement is laid on the table.

(c) No.

*Statement referred to in the answer to clause (b) of starred question No. 84.*

		Unrevised.	Revised.
		Rs.	Rs.
1. Secretariat stenographers—			
Class A	.. ..	350	} 300
Class B	.. ..	240	
2. Heads of departments' stenographers	.. ..	175	155

*Note.*—The figures in the case of Secretariat Stenographers exclude the special pay given to those appointed to be reporters to the Legislature.

**Khan Sahib Maulvi SYED MUHAMMAD AFZAL:** How many of the Secretariat stenographers are in receipt of the maximum pay of Rs. 350 and how many of Rs. 240 under the old scales of pay before their retirement?

**The Hon'ble Mr. NALINI RANJAN SARKER:** So far as I can remember, there are two or three in receipt of Rs. 350 but several of them are in receipt of Rs. 240; but I am not sure about the exact number and would ask for notices.

**Khan Sahib Maulvi SYED MUHAMMAD AFZAL:** How many are drawing Rs. 300 as their maximum pay under the revised scale before retirement?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I want notice.

**Trust Fund of the late Babu B. L. Mukherjee, of Boinchee, Hooghly.**

**\*85. Maulvi ABUL QUASEM:** (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing—

(i) the income and expenditure relating to the Trust Fund of the late Babu B. L. Mukherjee, of Boinchee, in the district of Hooghly;

(ii) the balance to the credit of the fund now in the hands of the Government; and

(iii) schemes, if any, in contemplation of Government to give effect to the object of the fund?

(b) Will the Hon'ble Minister be pleased to state whether the late Babu Rana Lal Mukherjee, of Boinchee, placed Rs. 50,000 in the hands of the Government?

(c) If so, the purpose for which the money has been given?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):** (a) (i) A statement is laid on the table.

(ii) At the end of 1935-36, the balance to the credit of the fund which is held in Government and other securities was Rs. 2,62,554.

(iii) No new scheme is in contemplation. Due effect is being given to the object of the fund, viz., the maintenance of schools, dispensaries and other charitable institutions.

(b) Yes.

(c) Government notification No. 3156Agri., dated the 11th August, 1896, of which a copy is placed on the table, gives the information.

*Statement referred to in the answer to clause (a) (i) of starred question No. 85.*

**SCHEME OF REGULAR EXPENDITURE OF THE B. L. MUKHERJEE  
TRUST ESTATE IN THE DISTRICT OF HOOGHLY.**

Receipts.	Rs.	Disbursements.	Rs.
Rent and cesses ..	47,826	Government revenue, cesses and rent to superior landlords.	30,125
Interest on Government securities.	8,998	Management charges including law expenses.	8,737
Dividend on Railway shares ..	700	Religious ceremonies ..	2,830
Miscellaneous (Salami, cost decreed in suits, etc.)	4,450	Schools ..	8,755
Surplus received from the Collector of Balasore. (The estate has properties in Balasore in Orissa, net profit from that portion of the property.)	8,000	Dispensaries ..	6,970
		Charity ..	837
		Miscellaneous including taxes and rates.	2,935
<b>Total</b>	<b>69,774</b>	<b>Total</b> ..	<b>61,389</b>

*Government notification referred to in the answer to clause (c) of starred question No. 85.*

NOTIFICATION No. 3156AGRI.

*The 11th August, 1896.*—It is hereby notified that the Lieutenant-Governor of Bengal, in exercise of the powers conferred by sections 4 and 5 of the Charitable Endowments Act, 1890, and upon the application and with the concurrence of Babu Ram Lal Mukherjee, of Boinchee, in the district of Hooghly, zemindar, doth hereby order and direct that the Government Promissory Note of the  $3\frac{1}{2}$  per cent. loan of 1865, of which the particulars are contained in the first schedule hereunder written, shall as from the 1st April, 1895, vest and be henceforth vested in the Treasurer of Charitable Endowments for the territories subject to the Government of Bengal, to be held by him and his successors (subject to the provisions of the said Charitable Endowments Act, 1890, and any rules from time to time framed thereunder by the Governor-General in Council) upon trust for ever hereafter to receive the interest of the said security when and as the same shall become due and payable and from time to time to apply the same in terms of the scheme for the creation of an endowment for the relief of distress due to inundation, or to scarcity brought on by drought, in any part of the Province of Bengal, including Bihar, Chota Nagpur and Orissa, of which particulars are contained in the second schedule hereunder written, and it is hereby further notified that the said scheme, of which particulars are contained in the said second schedule, shall come into operation on the vesting of the said security in the said Treasurer of Charitable Endowments for the territories subject to the Government of Bengal.

Sd. M. FINUCANE,

*Officiating Secretary to the Government of Bengal.*

The first schedule above referred to—

*Particulars of Government security.*

One  $3\frac{1}{2}$  per cent. Government Promissory Note, No. 53858 of 1865, for Rs. 50,000.

The second schedule above referred to—

*Particulars of scheme.*

I. That the endowment to be thus created shall be called “Babu Ram Lal Mukherjee’s Fund for the relief of distress due to inundation, or to scarcity brought on by drought, in any part of the Province of

Bengal, including Bihar, Chota Nagpur, and Orissa," and that its object shall be the relief of distress due to inundation, or scarcity brought on by drought, in any part of the Province of Bengal, including Bihar, Chota Nagpur and Orissa.

II. That the trustee to be appointed under section 5 (I) of Act VI of 1890 to administer the trust shall be the Secretary to the Government of Bengal in the Revenue Department for the time being.

III. That the duties of the said trustees shall be as follows; that is to say, that he shall during every year appropriate and apply the whole of the interest of the said Government security for Rs. 50,000, which shall be paid to him by the Treasurer of Charitable Endowments for the territories subject to the Government of Bengal as and when the same shall accrue due in the relief of distress due to inundation, or to scarcity brought on by drought, in any part of the Province of Bengal, including Bihar, Chota Nagpur and Orissa, by erecting huts and distributing rice and clothes in such manner as he considers proper.

IV. That the trustee shall at all times conform to, and abide by, any rules relating to the administration of endowments under "The Charitable Endowments Act, 1890", which the Governor-General in Council, in exercise of the powers conferred by section 13 of that Act, may from time to time see fit to make.

V. That the trustee shall cause books to be kept and to be entered therein full and true entries of all monies received and paid respectively on account of the said endowment, and shall from time to time cause to be submitted to such public servant as the Local Government may from time to time appoint in that behalf in such form and at such times as the said Local Government may from time to time prescribe, an abstract of such accounts and such returns as to other matters relating to the management of the said fund and the administration thereof as the said Local Government may from time to time see fit to require.

*Dated this the 11th August, 1896.*

### UNSTARRED QUESTIONS

(to which answers were laid on the table)

#### Executive Officer, Howrah Municipality.

**40. Mr. K. NOORUDDIN:** Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware of the action taken by the Commissioners of the Howrah Municipality in connection with the proposed appointment of its Executive Officer after the first appointment being disapproved by the Government?

**MINISTER in charge of PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Maulvi Syed Nausher Ali):** Government are not aware of any action taken by the Municipality except that it passed by a majority of 12 to 11 a resolution protesting against the action of the Government in disapproving the appointment. An amendment to the resolution urging upon the Government to reconsider their decision was negatived.

**Scheme for the introduction of agricultural classes in schools.**

**41. Dr. H. C. MUKHERJI:** With reference to the Education Department letter No. 4839 Edn., dated the 19th December, 1927, addressed to the Director of Public Instruction, Bengal, on the subject of the scheme for the introduction of agricultural classes in schools in Bengal, will the Hon'ble Minister in charge of the Education Department be pleased to state—

- (i) whether any report on the subject has been received;
- (ii) if so, whether the Government are considering the desirability of supplying copies for the information of the members of this House;
- (iii) whether Government intend to continue the working of the scheme as originally framed or with modifications; and
- (iv) if with modifications, their nature and extent?

**MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** (i) Yes.

(ii) No.

(iii) Yes; as originally framed.

(iv) Does not arise.

**Maulvi TAMIZUDDIN KHAN:** With reference to (iii), may I know when Government is going to give effect to the scheme?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have got no idea at the present moment. It depends on several factors but if the Hon'ble Member wants a reply I will look into the matter and take this as a notice.

**Dr. H. C. MUKHERJI:** With reference to (ii), will the Hon'ble Minister be prepared to state whether any opportunity was given to the public or to the authorities of institutions concerned to express their views on the point at issue?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I should like to have notice.

**Dr. H. C. MUKHERJI:** With reference to (iii), has the Hon'ble Minister made enquiries and satisfied himself that the scheme as originally framed and given effect to is working satisfactorily?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have not compared the two schemes but I have got a general idea that the scheme as originally framed has been working satisfactorily.

**Witness shed in the compound of criminal courts of Tangail and Jamalpur.**

**42. Mr. AMRITA LAL MANDAL:** (a) Is the Hon'ble Minister in charge of the Revenue Department aware of the absence of a witness shed in the compound of the Tangail and Jamalpur criminal courts to keep litigant public off from rain and the sun?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state whether Government are considering the desirability of taking steps in the matter?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** (a) Yes.

(b) A scheme for the provision of a witness shed at Tangail has been administratively approved and is awaiting provision of funds from Minor Works Grant.

The desirability of providing a witness shed at Jamalpur is being referred to the local officers.

## THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

### DEMAND FOR GRANT.

#### 37—Education—General.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,17,40,000 be granted for expenditure under the head "37—Education—General".

**Maulvi ABDUL LATIF BISWAS:** I beg to move that the sum of Rs. 1,24,313 proposed to be given to the University of Calcutta for the revision of the financial settlement with that University be omitted.

Sir, I do not grudge and nobody should grudge any grant proposed to be given to a seat of learning—

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir. The Hon'ble Member has moved that a particular amount be omitted. Is that in order under the provisions of the New Government of India Act, 1935.

**Mr. SPEAKER:** I think his motion is that a sum of Rs. 1,24,313 be omitted from Rs. 1,17,40,000 the sum proposed to be given to the University of Calcutta for the revision of the financial settlement with that University. I think Mr. Biswas should have formally moved his amendment in the form that the demand of Rs. 1,17,40,000 be reduced by Rs. 1,24,313.

**Maulvi ABDUL LATIF BISWAS:** In that case, Sir, I beg to move that the demand of Rs. 1,17,40,000 be reduced by Rs. 1,24,313.

Sir, I began by saying, I do not grudge and nobody should grudge any grant which is proposed to be given to a University. In spite of my genuine deference to, and sincere respect for, the University of Calcutta—my own alma mater—I am pained to say that circumstances, serious in nature, have forced me to move this cut motion. Before dealing with the matter in detail, I should tell the House that Moslem opinion in Bengal stands solid behind this cut motion. Sir, the University of Calcutta is not a denominational or sectional or communal institution. It is an institution which disseminates learning and diffuses knowledge from one end of the country to the other. This University is the premier University in the Presidency of Bengal which is the birth place and the nurturing ground of Hindus, Muslims, Christians and people of all other denominations alike. Every community, whether Hindu, Moslem or Christian, are getting their education from this University. This University belonging to all communities demands and receives allegiance from all the communities. Under the circumstances justice demands and equity enjoins that the University should not act in a manner which will ride rough-shod over the feelings of any community. But this healthy and salutary provision has been given a decent burial by the authorities of the Calcutta University under the leadership, I say, of the illustrious son of an illustrious father. According to the Hindu religion, "Sree" means goddess of learning or riches and lotus is her seat. Therefore, Sir, Muslims regard Sree and Lotus as an emblem of idolatry—

**Mr. SANTOSH KUMAR BASU:** Nonsense!

**Maulvi ABDUL LATIF BISWAS:** My friend calls it "nonsense". But he has no right nor any claim to say so. Monotheism is the cardinal principle of Islam and Monotheists as Muslims are they regard Sree and Lotus as an emblem of idolatry—

**Mr. TULSI CHANDRA GOSWAMI:** But that has nothing to do with religion.

**Maulvi ABDUL LATIF BISWAS:** Mr. Goswami does not know that according to Islam a Muslim cannot tolerate any encroachment upon their Monotheistic belief and upon their religious principle. I should therefore say that this University by introducing Sree and Lotus as its crest has given a rude shock to the feelings of the Muslims of Bengal in general and I should submit that it does not behove any educational institution to turn it into a communal or sectional one and deprive itself of its general character. The other day I found in a newspaper that this crest of Sree and Lotus was introduced and adopted when Sir Hassan Suhrawardy was the Vice-Chancellor of the Calcutta University. That cannot, Sir, exonerate the Calcutta University. For any person, however, big of highly placed he may be, has no right to slaughter the religious belief of any community. The verdict of an individual or of a body cannot be expected to be tolerated when that verdict is in direct conflict with the religious belief of a particular community. With the publication of the news that Sree and Lotus has been adopted as the crest of the Calcutta University strong protests were raised by the Moslem community from one end of the country to the other. But under the leadership of high priest of communalism—I mean Mr. Syamaprasad Mookerjee—the University turned a deaf ear to that agitation, and as a result Muslim students boycotted the Foundation Day Celebration of the Calcutta University as a mark of protest and disapproval. Even then the University authorities did not move an inch; they did not care for the feelings of Muslim students. The other day we heard on the floor of the House from Mr. Syamaprasad Mookerjee that the Government of Bengal should pay respect to the demand which has been made in respect of political prisoners and for repatriating the Andamans prisoners to their own province. That august gentleman forgot at that time that even though there were a countrywide agitation and strong feelings against the adoption of Sree and Lotus as the crest of the University throughout the length and breadth of the province he did not care to pay any heed even in the slightest degree to the Moslem feelings. In our case respect for public feeling and respect for agitation mean nothing to him. It is a fact that a genuine feeling of insult to the religious belief of the Mussalmans has been roused in the heart of every Muslim as a result of the adoption of Sree and Lotus as the crest of the

University and that the Mussalmans are of opinion that the University authorities have lost all sympathy of Muslims on account of their fanaticism and bigotry. It is for that reason that I have given notice of the motion—

**Mr. SPEAKER:** Mr. Abdul Latif Biswas, I would rather request you to discuss the matter from the point of view of your position as a Member of this House.

**Maulvi ABDUL LATIF BISWAS:** I bow to your ruling, Sir. But I claim that as Muslims form the majority community of this province and as their view is the view of the majority of this House, I can say, as a member of that community, that their view should not be disregarded and that their feelings should not be wounded.

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir. Is not the Member questioning the ruling you have just given?

**Mr. SPEAKER:** I suppose not.

**Maulvi ABDUL LATIF BISWAS:** I appeal to the University authorities through you, Sir, that if they neglect the claims of the Muslim community they will bring disunion and disorder in the whole province. I appeal to them to bring about a situation of mutual trust and confidence. This is not the only ground where a Muslim demand has been ignored. I am now referring to another matter as to how under the Leadership of Mr. Syamaprasad Mookerjee, the University of Calcutta showed a most unsympathetic attitude towards another Muslim claim. From the concrete case which I am going to place before the House, the House will be able to judge whether the Muslims have got a fair dealing and fair-play from the hands of my friends who are in power in the University. There is a high school at Sandwip controlled by the local Hindus. The Muslims found that their interests were disregarded and their opinion flouted, and disappointed at the conduct of the Head Master which was rightly described by the Director of Public Instruction, Mr. Bottomley, to be inimical to Muslim interests, the Muslims started a school with a good fund and good building and equipped the institution thoroughly. Successive District Magistrates of Noakhali recommended for the affiliation of that institution and several Inspectors of Schools recommended to that effect also. When the case came up before the University a mysterious telegram was received from a local Hindu gentleman and the University authorities did not grant the recognition and affiliation. Disappointed at this the local Muslims approached some of the Muslim M. L. Cs., who brought a cut motion here in the year, 1936, but on an assurance

from you, Sir, as the then Hon'ble Minister in charge of Education that cut motion was withdrawn. You were kind enough to say that you would come to Noakhali with the Director of Public Instruction in April next to see how the matter could be managed. When you were pleased to go there both the parties approached you and requested you as the head of the Department of Education to give your award as an arbitrator. The Muslims did not hesitate to accept that award and the Hindus for the time being accepted it. But when that decision came up before the Vice-Chancellor who is no other than my friend, Mr. Syamaprasad Mukerjee, he altered the terms and suggested a modification as a result of which no compromise could be effected. When the Vice-Chancellor altered the terms and brought about certain modifications, it was not possible for the Muslims to accept those terms. The fact remains, however, that although the school is well equipped and has been recommended for affiliation—

(At this stage the member having reached the time-limit, resumed his seat.)

**Mr. SARAT CHANDRA BOSE:** Mr. Speaker, Sir, may I be permitted to say one word before you call upon the next speaker? I should think in a motion of this nature it is quite possible to bring forward arguments in support of or against it, without launching an attack against any other religions by calling it idolatrous. Generally speaking, what the Hindu religion is or is not, is known to the Hindus more than to any other community; and persons who do not know the Hindu scriptures, who have not read the Vedas or the Upanishads or the Gita surely ought not to launch an attack against it or charge it with being idolatrous. I hope this appeal which I make through you to the House will not fall on deaf ears.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I also very much like that a discussion of this type should be carried on in an atmosphere free from passion and prejudice and more than that I would not say at the present moment. I fully endorse the appeal that has been made by the Leader of the Opposition and I hope that nothing will be said which will wound the religious feelings or sentiments of any community or of any section of a community.

**Mr. SPEAKER:** I am glad that my attention has been drawn at the very right moment by the Leader of the Opposition and the Leader of the House. You will remember that almost in the midst of his speech, I gave a broad hint to that effect to Maulvi Abdul Latif Biswas but unfortunately he did not take it. I do feel that this debate can be conducted in a manner that would not wound the religious feelings or sentiments of any community. After all, we do not sit here as

members of different communities but as members of the legislature. I hope and trust that this appeal of Mr. Bose and Mr. Huq will be taken due note of by all speakers.

In view of the fact that there is a large number of speakers on both sides of the House, I feel that the House would have no objection if I allot only six minutes' time to each speaker subject to such special cases as I would make at my discretion.

**MR. SHAH SYED GGLAM SARWAR HOSSAINI:** (The member spoke in Bengali in support of the motion of Maulvi Abdul Latif Biswas.)

**MR. SYED MUSTACASWAL HAQUE:** Mr. Speaker, Sir, being a humble product of the Calcutta University I cannot have any feeling but of love and affection for my *alma mater*. But I am going to support a matter on which there is absolutely no difference of opinion amongst the members of my community. I wish to tell the House most sincerely that I do not wish to hurt the University, as I do not think that hurting the University is hurting ourselves. My only object is to draw pointed attention to certain aspects of University administration on which Muslim feeling runs very high, and in my opinion justly.

The Calcutta University stands to minister to the educational needs of the people of Bengal as a whole, and in Bengal the Muslims are in a majority. So, whatever the University does, the University has always got to take into account the interest and the sentiments of the Muslims of Bengal; in fact, it cannot ignore the sentiments of 90 per cent. of the Muslims of this province. If it does not do that, the University shall then be open to the charge of partiality, and criticism.

My first charge against the Calcutta University is that the University is attempting a cultural conquest of the Muslims of this province. To substantiate my charge I must point out that in the selection of Matriculation and Intermediate Bengali course, the University definitely shocks Muslim sentiments and outrages Muslim feelings. Such selection ~~it~~ becomes a University which is to provide intellectual food to the Muslims as well as the Hindus. Now, I shall cite certain passages from Dr. Rabindra Nath Tagore's poem to substantiate the charge. First of all, I shall refer to a poem entitled *Bicharak* of Dr. Rabindra Nath Tagore which runs thus—

কহে রঘুনাথ  
আমার পথ বুধিলে হঠাৎ  
চলোঁহি করিতে যবন নিপাত  
ষোপাতে যমের খাদ্য।

I would cite another poem entitled *Pujarini* by the same author to support my charge which runs thus—

কেন, ব্রাহ্মণ, রাজা ছাড়া আর  
কিছ নাহি ভবে পূজা করিবার,  
এই কটী কথা জেনো মনে সার  
ভুলিলে বিপদ হবে।

Sir, I have got the greatest regard for Dr. Rabindra Nath Tagore. I yield to none in my love and reverence for Dr. Rabindra Nath Tagore. We, every Bengali, irrespective of caste, creed, and colour, are proud of him. I know that Dr. Tagore has brought undying fame for Bengal by his literary contributions, and we—both the Hindus and the Muslims—are proud of him. But we, who constitute Muslim Bengal, will not tolerate any poem which definitely shocks Muslim sentiments and which outrages Muslim feelings. Such selections ill-become a University which has to provide intellectual food to the Hindus as well as to the Muslims, besides other communities.

Mr. Speaker, I could have cited many other instances to prove my charges, but for want of time I am not in a position to do so.

It is well known that Islam stands for pure monotheism. I do not mean the least disrespect to my Hindu friends, when I say that the Muslim faith differs from the Hindu faith in many important particulars. Having the greatest regard for my own faith, I have also every regard for the faith of the Hindus. I only plead that the Hindus will be liberal and catholic enough not to impose their faith upon members of other communities. What I mean is that Muslim students going in for the Matriculation and the Intermediate Examinations are of tender and impressionable age; they are of an age when they cannot distinguish their own culture from the culture of others, and by the time they come out of their schools, after being compelled to study and imbibe thoughts and ideas which are fundamentally opposed to their faith and sometimes galling to their self-respect, they become to a certain extent de-Moslemised.

Mr. Speaker, my next charge against the Calcutta University is the history of the Muslim period, which is definitely designed to wound the feelings of Muslims. I submit that the standards to be set up by a University should be such as to be universally acceptable. The ideal of a University should not be sectional or communal; this is especially true in the case of the Calcutta University who has to deal with the beliefs and sentiments of the majority community of this province. The University should set up the necessary machinery for the correct writing of History. Muslims certainly cannot suffer their traditions and culture to be merged into Hindu culture and traditions.

I submit that History written with a positive bias against the Muslims, who constitute the majority community in Bengal, should not be compulsorily taught to Muslim boys. I myself have got great regard for the Vice-Chancellor, who now presides over the destinies of the Calcutta University. He is a talented young man, and we the educated youth of Bengal are proud of him. I do not blame him in the least. The object of this cut motion is to seek redress of the grievances of the Muslims of Bengal and not to condemn the University—not to hurt the University in any way. We say: your duty as to University is to understand what Muslim culture and traditions are and to show respect for them, so that the Muslims may feel that here is a University which is as much theirs as of any other community. But that unfortunately is not being done. If the University had shown sympathetic treatment to the Mussalmans of Bengal, I would not have raised this discussion. Our University's sacred and ceaseless endeavour should be to bring the two great communities together on the high plane of mutual respect and admiration for the best in their traditions. I hope, Sir, my observations will be taken in the same spirit in which I have made them, and that effective and immediate steps will be taken so that the Muslims may feel that their culture, history, traditions, and faith are safe in the hands of the Calcutta University authorities. May I in this connexion draw attention to certain other grievances of the Muslim community in Bengal in respect of the Calcutta University? The Saddler Commission was appointed to reform our University. While other Universities have profited from the labours of that Commission, the Calcutta University has not, and I am sorry to say that the Calcutta University has up till now derived no benefit out of the Commission's recommendations. The Muslims feel very strongly that they are inadequately represented on the different governing bodies of the University. Until the Muslims are adequately represented on the University, their interests will not be properly looked after. I do not know how long Government are going to wait for the reform of the University to be taken up seriously.

With these few words, Sir, I beg to support the cut motion moved by my friend Mr. Abdul Latif Biswas.

**MR. TULSI CHANDRA COSWAMI:** Mr. Speaker, I think there has just been a living, much more than a vocal, a demonstrative condemnation of the Calcutta University. The honourable gentleman who has just sat down told us that he is an *alumnus* of the Calcutta University, and he claimed that University to be his *alma mater*. If this is what he has learnt from the University of Calcutta, I am sorry for him and for the University. He did not understand that the beautiful poem of Rabindra Nath Tagore to which he has referred was a dialogue and that the particular stanza he quoted was really

written in order to refute the claim that is made in that stanza. Well, I am very sorry for him and for the University on his account. I, too, Sir, was nurtured in the first instance by the University of Calcutta. It is my University; it is my father's University and it has been the University of almost all the great men of Bengal, Hindus and Muhammadans, during the last sixty or seventy years. It is a University, which, with all its faults, must be preserved, must be magnified, must be glorified by every one who has the interests of the country at heart. I was pained to hear an echo of a statement made by the Hon'ble Mr. Fazlul Huq the other day that a certain emblem, that a certain symbol in the coat of arms of the University, caused havoc to a great and honoured religion. It is surprising that the University of Calcutta, a great institution, in which has been poured the life-blood of many people, and which has produced growths which to-day are on the point of rivalling the academic growths of other countries, which has produced science, which has produced literature, should be indicted on the ground of its crest or coat of arms. It was surprising that two whole speeches were devoted to "Sree and lotus," it was said that "Sri and lotus" were symbols of idolatry. Well Sir, I do not wish to go into that matter.

I myself in my own humble way have been a student of the history of Islam. I made it a point when I was a student of history to study the growth and development, the great conquests, of Islam in foreign countries, particularly in Europe. And I have nothing but reverence and the greatest reverence for the conquest by Islam of European culture. But an uncultured conquest of the Calcutta University by means of votes would be disastrous and unworthy of Islam. I remember spending hours in the mediæval halls of Al-Azhar in Cairo, perhaps now the greatest and most important centre of Islamic learning. I was enabled to visualise there something that I had not seen, that you have not seen, namely, the scholastic establishments of Nalanda and Taxilla in the far-away past. But there has stood for thousand years Al-Azhar, a true centre of learning, and, it happens to be primarily Islamic learning. And what is the guiding principle there? It is a passage from *Hadis*: "Science is one religion, prayer is another; study is better than worship; go, seek knowledge, everywhere even unto China." That is the true spirit of a University, the University ethos, as the Greeks used to say. To quarrel over symbols is to quarrel with learning. You might as well abolish the classics of Greece and Rome. Would the Mussalmans of Bengal and India be the richer for the extinction of the great languages, the noble literatures which are not of Islamic origin? I am not trying to hold up before your eyes a false ideal. On the contrary I want to point out that we are engaged here as a legislature in a debate on the Calcutta University—a great University—and I

think we should have the academic vision. When we are discussing matters academic we should have that balance, that sense of perspective, in discussing things about the University and not be carried away by political stunts. I was told that the Moslems have a grievance against the University. Apart from the "Sree and Lotus," hardly any grievance was specified. Am I to understand that that is the only grievance?

(A VOICE: We had no time to mention others.)

Why were they not mentioned? Except in regard to one small school no other grievance was mentioned here.

(A VOICE: If time is given we can mention a good deal of grievances.)

The hon'ble member had plenty of time—more time than I have—to deal with these things, and I submit very respectfully that when we are discussing a question of this importance it should not be dealt with lightheartedly by any one. The University of Calcutta—there is also another growing University, the University of Dacca, to be thought of—is growing up and is becoming famous as an honoured seat of learning. It is our duty, it is the duty of all of us to see that it becomes the equal of the greatest Universities of the world. Because, mind you, if this University falls, the entire learning of Bengal will crumble down, the achievements of the past will be wiped away and the future will have nothing to show except the injudiciousness of those who brought down this temple of learning through cussedness and for political reasons which have no claim to respect or reverence.

**Mr. MD. ABDUL HAKIM VIKRAMPURI:** Spoke in Bengali of which the following is an English translation:—

Sir, the University of Calcutta is the greatest institution of its kind in Bengal and for the matter of that in the whole of India. Nay, it is regarded as the greatest centre of learning in the East. But looked at purely from a Moslem point of view, do we Moslems find in it anything for pride as far as it concerns the Moslems themselves? As a matter of fact, the Moslems have no right of entry into the precincts of the Calcutta University which is the highest centre of learning and culture in Bengal a vast country inhabited by Hindus and Moslems. As we look at it utter disappointment overtakes us. Not a single Moslem can take pride in what he receives from it. There the Moslem students consider themselves utterly helpless. They find nobody there who will sympathise with them. In that sacred centre of learning they see nobody at whose feet they can sit and devote themselves to the pursuit of knowledge relieved of worries and anxieties. Hence, we consider a modification and amendment of the Calcutta University Act as absolutely necessary. On the Senate and Syndicate of the Calcutta University Moslem representation should be on the population basis.

In the posts of clerks under the University there is no Moslem. It is indeed regrettable. In colleges under the University a sufficient number of Moslem professors should be appointed and a sufficient number of examinerships under the University should be given to Moslems. Adequate provision has been made in the University for teaching subjects relating to Hindu culture, tradition, history, etc. But none like this for the Moslems. Adequate provision should also be made for teaching subjects concerning Moslem education, culture, civilisation, art, sculpture, law, etc., and "chairs" should be established for the purpose.

For many years past, negotiations, discussions have been held and press comments made for allowing the candidate for the Matriculation Examination to write as in the case of other examinations, on his answer book his roll number instead of his name, but it is a matter for great regret that the attention of the University authorities cannot at all be drawn to this matter. Such dealings on the part of the authorities are viewed with great suspicion by the educated Moslems of Bengal.

For many years past, since the introduction of the Matriculation Examination, question papers on Arabic and Persian for the Matriculation Examination have been made inconceivably stiff. Many have been the agitations, discussions and press comments up to date, even the University authorities have been approached but up till now nothing has been done about it.

During the month of Ramjan and on the days fixed for Hindu and Moslem religious festivities colleges should remain closed. In case any examination is held on Friday, time should be allowed for the Jumma prayer.

Up till now the University has laid greater stress on "literary" education. No attention has been paid at all to practical and vocational training. Of course a little attention is being paid to it now but that is not enough. It has become immediately imperative to pay greater attention to practical and vocational training along with "literary" education. It will not do now to produce clerks alone, the education policy of the University should be modified and reformed in conformity with the needs of the age. Otherwise, in view of the manner in which the ranks of the educated unemployed are gradually swelling, the province will in future have to confront a huge socio-economic upheaval.

**MR. SPEAKER:** I think it would be convenient if I adjourn the House now.

At this stage the House was adjourned for 15 minutes.

(After adjournment.)

**Mrs. HASINA MURSHED:** Mr. Speaker, Sir, it is with some diffidence that I rise to speak on this much debated question. It is not my intention, Sir, to accentuate the bitterness of feeling which seems to have been roused among the Mussalmans of Bengal on account of the adoption by the University of a symbol to which they cannot, consistently with their religious tenets, give their approval.

I take this opportunity of appealing to my Hindu brethren who guide the affairs of the University to change its crest and adopt in its place one which will not give rise to any resentment.

I am sure that the House will be convinced that the objection taken to the present symbol is certainly not one which is based upon a frivolous desire to emulate the fashionable habit of some critics who oppose for the mere sake of opposition. The objection of the Mussalmans, Sir, I submit, is indeed real and is founded on religious grounds. Every one in this House will, I am sure, agree with me that the adoption of this crest by the University has imparted a parochial character to an institution which is, and ought to be, regarded as the common fountain-head of education not only for the Hindus and Mussalmans but also for every person irrespective of caste, creed, race and colour. I submit, Sir, that the authorities of the University cannot congratulate themselves on what amounts to a surrender of its catholic character. We are not convinced, Sir, that there can be the slightest reason for not changing the crest against which a widespread protest has been lodged.

We are not convinced, Sir, that the heavens would have fallen if the University, out of deference to the sentiments of the Mussalmans, had changed the crest and adopted a non-sectarian one instead. I cannot see what objection the University can have to the changing of the existing crest. Are we to understand, Sir, that the authorities of the University would be doing violence to their principles by acceding to the request of their Muslim brethren? If the University still persist in continuing to adopt the crest in question, in defiance of the religious susceptibilities of the Mussalmans, will it not lay the executive authorities of the University open to the charge of having adopted an attitude of hide-bound imperialism which has so often been denounced on the floor of this House?

I would most earnestly appeal to the powers that be to take into consideration the Muslim sentiments and change the present symbol for one which would be acceptable to all communities. If the University which is, the fountain of liberal education, were itself to preach sectarian doctrines through its motto, what hope, I ask, is there for that amity and fraternity between communities which is said to be

the common objective of all of us. I consider, Sir, that the cannons of courtesy demand that the University should respect our feelings. With these words, Sir, I support the views expressed by the honourable mover of the motion.

**Mr. SYED JALALUDDIN HASHEMY:** Mr. Speaker, Sir, I must at the outset confess and frankly confess that I never had had any opportunity to cross the threshold of the Calcutta University. Sir, I must also frankly confess that up till now I have not seen the emblem of the Calcutta University. That clearly proves that I do not read nor care to read any book published by the Calcutta University. Books generally I read are published by the Universities of Russia. Sir, I had no occasion to know the ordinary meaning or extraordinary meaning of Sree and Padma, nor Sir, I had any occasion to understand its general and metaphorical meaning, yet I will join issue with my friends over there and I say that this Sree and Padma must go (hear, hear). Sir, some of my friends suggested here that Sree is the emblem of prosperity, wealth and affluence. If that is a fact, it is also a misnomer with regard to the Calcutta University because it is always running in deficit. (Laughter.) Sir, my friends over there suggested that Sree and Padma should go but have not given any constructive suggestion at the same time. If I am permitted to say, Sir, I will suggest that in place of Sree and Padma there should be hammer and sickle. That will be a nice thing: there should be no objection from any school, any community or any denomination. There should be in the Calcutta University the emblem of hammer and sickle—I repeat again. If this emblem is removed, immediately, I will move the Calcutta Corporation to remove its emblem which contain queer sorts of birds which I do not like at all (laughter). Sir, if I am allowed, the very tiger over the head of our Speaker should also go, because it is an emblem of violence. As a matter of fact, I do not like any sorts of animals be it bear or lion or tiger or queer sorts of birds of the Calcutta Corporation. They should all go and be replaced by the emblem of hammer and sickle. People all over the country are thinking in that line and when they will get power they will introduce that emblem.

Sir, with regard to the Calcutta University, I have already said that I had no occasion to cross its threshold. The only occasion on which I did was to ask the students to come out of that University (laughter). My friends over there who spoke at length are certainly brilliant products of the Calcutta University, but may I ask them and seriously ask how long they have come to realise that this emblem is an emblem of idolatry. I have already said that I do not know its meaning nor have I cared to know its metaphorical meaning. Sir, for the simple reason that I believe their statement that it has affected the feelings of the Muslim community of Bengal and only for that reason

I agree with them and say that this emblem should go; but at the same time I would also request my friends over there, particularly the mover, to stick to it to the last and not to withdraw the motion. It is a very salient thing and it is a very important thing: my friends must be serious when moving a motion in the Legislature. Sir, I hope and very rightly hope that my friends to my opposite will be serious at least to-day and stick to the motion they have moved. With these words, Sir, I support the motion moved by my friend Mr. Biswas.

**MR. PRAMATHA NATH BANERJEE:** Mr. Speaker, Sir, as an infant in politics and as a novice in this august Legislative Assembly, I have been faced with embarrassment and bewilderment night after night. To-night, Sir, I came to discuss the question of the attitude of my friend the Hon'ble the Finance Minister towards the Calcutta University whether or not he has behaved in a god-motherly fashion in a system of governmental maternalism. Instead of that financial question being raised, a question which I might have pointed out at once involved a solution of an act of belated justice, I am faced with the symbol and the crest of the Calcutta University. Mr. Speaker, Sir, I for one know how to respect the sentiment of others; I for one know how to respect the divergent views of my opponents. I will not treat the question, Sir, as the Hon'ble the Home Minister tried to meet the question of trampling down of the Congress—or as we on this side of the House say—the national flag the other night. So far as the emblem is concerned, this House has got the official reply of the Calcutta University. Official replies are proverbially laconic and cold. The official reply of the Calcutta University is that there was no intention, no ulterior motive on the part of anybody to wound the feelings, the susceptibilities, the sentiments, the emotions, even the vanity or the pride of a number of individuals of one of the greatest communities of Bengal. Mr. Speaker, Sir, as a member of the Legislature and as a member of the Calcutta University who has devoted the best years of his life to the cause of his *alma mater*. I stick to that answer with a little emotion and with a little sentiment superadded. I am confident, Sir, that the grievances of the Muslim community in Bengal will certainly receive a responsive echo from the authorities of the Calcutta University. I am sorry, Mr. Speaker, to-night the Vice-Chancellor of the University has not been able to come to this House; he is in fact very ill. If he were here he would have given, I am sure, the assurance that all the legitimate grievances of the Hindus, the Muslims, the Christians or of any other community, will meet with just response from the University of Calcutta. It is a public institution and no public institution—whatever its traditions, whatever its magnitude, whatever its ambition, can possibly be blind to even the sentiment or the emotion of other people.

Mr. Speaker, so far as this question is concerned, I did not realise its full implication before I heard the fervent appeal from my honourable friend Mrs. Murshed. Sir, in an evil afternoon in 1929 one of our students abroad at Allahabad wrote to the University of Calcutta to ask whether or not he could wear the crest of the University on his sporting blazer. Verily, Sir, this is a case "where mighty events from trivial causes have sprung."

The University appointed a Committee to see what they could do in the matter. The Committee referred the matter to the greatest artist in Bengal, namely, Dr. Abanindranath Tagore. He prepared a design, which was submitted to the scrutiny and observation of the Architect to the Government of Bengal. The design was approved but objection by some Moslem members was preferred to it. The result was that the matter was referred to the College of Heraldry in London—a College which is noted for its crests and design; and after the University received its report, it appointed a Committee consisting of the Vice-Chancellor of the day, the Architect to the Government of Bengal, the Principal of the Government School of Art and the present Vice-Chancellor. This Committee came to the conclusion that this symbol, if used, would not be objectionable to any community whatever. Sir, so far as the expression "Sree" is concerned, I was reading the Dictionary of Carey this morning. He cannot be accused of communalism, having written his dictionary in an age when communalism was unknown and I found that he has given twenty different meanings to this Cabalistic expression "Sree," and two of the meanings are "Prosperity" and "Happiness." What symbol, Sir, can be more fitting to the large number of our girl pupils who are now entering the portals of our University than they should represent—whether these girls are Hindu or Moslem "Prosperity" or "Beauty"?

Mr. Speaker, the symbol "Lotus"! How beautiful that flower "Lotus," blossoming in the turbid pool of party politics in Bengal, saluting the sunshine of liberty—what more beautiful symbol can there be of any flower; and yet, Sir, I find that the Hon'ble Chief Minister, in his answer to this House the other night, stated that neither "Sree" nor "Lotus" was by itself objectionable but a mechanical combination of both was objectionable. I took some little pains to read the Science of Numismatics. A coin, either gold or silver, is a beautiful article of faith for what is rank but guinea's stamp? I find, Sir, that almost all the Delhi Monarchs—beginning from Mahmood of Ghor—had not only on their coins the word "Sree" inscribed but that the coin of Mahmood of Ghor itself bore not only the "Lotus" but even the figure of the Goddess Lakshmi. I have in my hand one of the authoritative books on coins by Nelson Wright—"Catalogue of the coins in the Indian Museum." If I did not treat this august assembly with the highest respect and if I only treated it as a museum of political

curiosities, I would have produced three important specimen coins of the Muslim Emperors of India in silver with the Sree and lotus on each.

[At this stage the member having reached the time-limit and was allowed to speak for five minutes more.]

May I show these three coins to my Moslem friends? They are necessarily enveloped but they all bear the impression "Sree" and "Lotus." I have one coin in my hand—of the great Sher Shah—my friend Mr. Hasbemy took objection to the tiger on your head—though Sher represents tiger yet Sher Shah put down his name as Sree Sher Shah. Then I have in my hand a coin of Mahmood, of Ghor—one of the greatest conquerors that the world has ever seen—but more than a conqueror—he was a humorist as well, and on the reverse of his coin a Monkey appears with a mace. When he came to India he discovered that he came to a land not only of men but of many *hanumans* as well. Sir, so much about the emblem and the symbol.

My Muslim friends have raised a number of objections against the Calcutta University and one of the objections has taken a peculiar form. It took the form of an objection against some of the writings of Rabindra Nath Tagore. Sir, I will not say more about Rabindranath because any words of commendation from me must be treated as presumptuous; but, Sir, may I refer that hon'ble members to the English pieces which have been prescribed in the Universities of Calcutta and Dacca? Let us first start with Shelly: Like our Chief Minister,

"Higher, still and higher

From the earth he springeth like a cloud of fire

The blue deep he wingeth

And ever soaring singeth,

And ever singing soareth."

His book "Prometheus Unbound" deals, as is well known, with a topic of Greek mythology. Then, we come to Keat's—"Ode on a Grecian Urn," "Ode to Endymion," Tennyson's "On the judgment of Paris": these are the favourite authors of the Calcutta and Dacca Universities. When we prescribe a particular piece or a book, whether in English or in Bengali, whether in Sanskrit or in some other language, we did not consider the question of religion or of idolatry. If we did so, the University of Calcutta would never have prescribed the English Bible in all stages of the Curricula of studies beginning from the Matriculation right up to the B.A. The Bible has not been prescribed for propagating the love of Christ but for the purpose of teaching our students how to write good English—as an emblem of culture.

Sir, one of my friends raised the point that the Calcutta University is aiming at a cultural conquest. Far be it from the intentions of the authorities of the University to aim any kind of cultural conquest on the great Moslem community of Bengal. Islam, Sir, with its symbol of the crescent has fought Christianity, the Holy Koran has fought the Bible, the Scimitar has fought the Sword and Islam to-day is no poorer for it—and if anybody within the University or outside it thinks that he can dominate Islam by imposing a culture which is alien to the idea of Islam, he must find for himself a place in a commodious place at Ranchi called the Lunatic Asylum.

Sir, so far as the Calcutta University is concerned, it has done great things. I should advise all my friends, if my advice is not deemed presumptuous, to read a book, an excellent book on the history of the development of Muhammadan Education in Bengal. That is a book written by a gentleman by the name of Mr. Azizul Huq, before he was installed on the Treasury Bench. I shall just conclude my speech by reading one small passage from the opening chapter of that book.

“Acquire knowledge, because he who acquires it in the way of the Lord, performs an act of piety, who speaks of it, praises God, who seeks instruction in it bestows alms; and who imparts it to its fitting objects, performs an act of devotion to God.”

Symbol or no Symbol, I shall be quite satisfied if the alumni of the University of Calcutta—my *alma mater*—your *alma mater*, Sir, the *alma mater* of 4/5ths of the legislators I see around me in the Hall, act up to the greatest ideal which has been enunciated in Huq's History of Muslim Education in Bengal—I take it that the passage I quoted is a passage from the Holy Koran.

Mr. Speaker, I have one more word to say, just one small word to the Hon'ble Chief Minister. The Hon'ble Chief Minister is also a son of the Calcutta University, he has been tied with many bonds of affection and gratitude to it and my appeal to him to-night is that—let all ideas about mistrust, suspicions, disharmony and disapproval lie buried. Let us start anew so that the two great communities in Bengal may, in their onward march for political progress walk side by side. I do not want, personally speaking, to have the great Moslem Community of Bengal representing the two hind legs of the deer; after all the tiger may some day fall upon the running deer and it is the hind legs of the deer that will get entwined in the forest of despair.

As a member of the Syndicate I have no authority officially to invite the members of the Legislature to the University but speaking for myself I shall certainly place the point of view of my Moslem friends before the Syndicate, but on my behalf may I extend to one and all a cordial welcome to the University precincts which are so dear to you, Mr. Speaker, from more points of view than one, so that

in the days to come we may not have these jarring notes of disharmony and quarrel of discord and hatred between the two great communities of Bengal (Hear: hear).

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, it is extremely regrettable that an attack on the Calcutta University should have been launched by my friend Mr. Abdul Latif Biswas on grounds other than academic and I rise, Sir, to say only a few words in explanation of the attitude which the Government propose to take after listening to the debates which I have listened in this House this afternoon. Sir, it is not necessary for me either to criticise the Calcutta University or to defend it. But I must tell this House that I have come to know officially that there is rightly or wrongly a very large section of the people of this country who regard the adoption of this crest of Sree and Padma of the Calcutta University as extremely unfortunate, because the Moslem community almost to a man regard this action on the part of the University as something amounting to sacrilege. Sir, I may at once tell the House that I propose to call a conference of representatives of the University and of various sections of this House to sit round a table and discuss not merely this question but also other questions which represent the grievances of the Muslim community, of the scheduled castes, and of other sections of the population of Bengal regarding the administration of affairs of the Calcutta University. I have every reason to hope that by friendly discussions across the table, where it would be possible for the members to exchange views and to come to correct decisions with due regard to the feelings and sentiments of all, we shall be able to get rid of the present feeling of discontent which seems to prevail against the Calcutta University. I will not say anything further on this point, because I hope that, without entering into a discussion on the question of the adoption by the Calcutta University of this crest, it would be better to concentrate our attempts in the conference that I have suggested to bring about a satisfactory solution of the problems that have arisen by this action of the University of Calcutta.

Sir, I now come to the motion itself. My friend Mr. Abdul Latif Biswas has moved that the sum of Rs. 1,24,313 be omitted and that the demand that I have made be reduced by that amount. I would like to give this House a very brief history of the various settlements that have been made by the Bengal Government with the Calcutta University in order to enable the University to get over their financial embarrassments and to enable them to carry on their duties unhampered by considerations of deficiency in finance. In 1932, a settlement was concluded with the Calcutta University by which Government undertook to give them a grant of Rs. 3,60,000, subject to the condition that if in any year the income of the University in their fee-fund exceeded

Rs. 11,72,000, the Government grant for that year would be reduced by half the amount of the excess over that sum, the necessary adjustments being made at the time of the payment of the grant for the succeeding year. Supposing in any year the fee-fund reached the figure of Rs. 12,00,000, the excess would be Rs. 28,000, of which Rs. 14,000 would go to the University and Rs. 14,000 would be utilized as a set-off to reduce Government's contribution of Rs. 3,60,000 to the University. It so happened that in course of time the fee-fund began to increase to such an extent, that in the year 1934-35 Government had to pay only Rs. 2,36,000; in 1935-36 Government paid Rs. 2,05,000; and in 1936-37 Government's contribution was Rs. 2,07,800. The University complained that in consequence of the arrangement that had been entered into the University were not enabled to take full benefit of this increase in fee rates, and they complained not without reason that Government were reaping the benefit of this increase which would ordinarily have gone entirely to the University. In order to examine the position further and in all its details, Government placed an expert, viz., Dr. Jenkins, on deputation. And Dr. Jenkins reported that, instead of fluctuating advances, Government should give to the University a consolidated grant of Rs. 4,85,000, and this figure of Rs. 1,25,000 really represents the difference between Rs. 4,85,000, the amount suggested by Dr. Jenkins, and what would have been provided in the Budget under the old arrangement. Sir, all that we have done is that under this arrangement, if accepted by this House and if nothing further happens, the University will derive the fullest benefit from the increase in fee-fund and the increased receipts from University publications. The various questions which have been discussed may be briefly summarised under a few heads. Apart from the question of Sri and lotus, reference has been made to the grievances of the Muslims and of the scheduled castes in connection with the affiliation of schools by the University, and one member has referred to the publication of text-books prescribed by the Calcutta University which wound the religious feelings of Muslims and others. I submit, Sir, that all these are matters which can be discussed at the conference which I propose to call very soon, if possible as soon as the Assembly has dispersed after the budget session. And I have no doubt that at a conference of that kind we shall not only be able to come to a solution regarding the crest of Sree and lotus but also of other matters about which any section of the community or of the public may have any grievance against the Calcutta University. (A VOICE: What about employment?) Well, the question of employment and all other questions will be discussed and decided at the conference.

Now, Sir, there is only one other matter to which I wish to draw the attention of the House. My friend Mr. Hashemy, who is not here now, has asked the mover of the motion to stick to his guns and not

withdraw it but press it to a division and take the sense of the House. I do not know what actuated him in making this gallant suggestion, but I may tell Mr. Hashemy that the time has not yet come when he would be in a position to give a mandate to any section of the House. When he reaches that position, he can issue *fatwas*, as my friend from over there suggests, and send round his whips and ask the parties to vote in a particular way. But, Sir, I wish to point out to the House that this motion to refuse the demand by a particular sum, if pressed to a division, will not necessarily mean any redress of grievances, nor will it have any practical results, because, after all, if you vote out this sum, if you disapprove the arrangements that we have made, we shall be coming back to the old arrangement, and the Calcutta University will get exactly the sum which we propose to give them under the arrangement that is suggested by Dr. Jenkins. The only advantage of discussing this out motion would be to give an opportunity to the various sections of the House to express their views on some important questions, which affect the relations between the Government and the University and the University and various sections of the community in particular. I think, Sir, that in these circumstances, my friend the mover of the motion, will not press it to a division. I have given him the assurance that I am going to have a conference, and Mr. P. N. Banerjee has extended a very kind invitation to all of us to go and have a discussion with him in the office of the Calcutta University.

**Mr. PRAMATHA NATH BANERJEE:** Not with me, Sir, but with the Syndicate of the Calcutta University.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It is a matter of detail. We can discuss it with the representatives of the Calcutta University—with the Syndicate. Representatives may be selected from amongst the members of this House. We expect to have a friendly discussion at that conference in order to come to a satisfactory solution of all the questions that are involved. Sir, in view of this assurance I would ask my friend Mr. Abdul Latif Biswas to withdraw his motion and not to press it to a vote.

**Mr. ABDUL LATIF BISWAS:** Sir, in view of the assurance given by the Hon'ble the Chief Minister and in view of the assurance given by Mr. P. N. Banerjee, that every genuine grievance will receive sympathetic consideration, I beg leave of the House to withdraw my motion.

**Mr. PRAMATHA NATH BANERJEE:** I am not the Chief Minister yet.

**Mr. ABDUL LATIF BISWAS:** Well, you expect to be some day.

The motion was then, by leave of the House, withdrawn.

**Mr. SPEAKER:** I think it is only fair that I should inform you that we have got roughly about four hours and a half to discuss the Education budget to-day and to-morrow. If the leaders of the different sections agree, I propose to distribute the time as follows: another half an hour for University education; half an hour for secondary education; one hour and fifteen minutes for primary education, out of which members of the scheduled caste will have half an hour; madrasa education, half an hour; female education half an hour; and European education, half an hour.

**Dr. NALINAKSHA SANYAL:** May I move that the question of University education be now put, because we have several other motions to discuss later on?

**Mr. SPEAKER:** I am at the disposal of the House, but I would like to know the views of the Coalition Group whether they would like to have any further discussion on University education.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** No, Sir. We do not want any further discussion on University education.

**Mr. SPEAKER:** As it is not desired of the leader of the Coalition Group, that there should be any further debate on University education, I would take up the next item which is Primary education, and Maulvi Tamizuddin Khan will now move his motion, and members of all sections will be allowed to participate in the debate, and on that understanding I will give one hour and fifteen minutes for primary education from now.

**Mr. SIBNATH BANERJEE:** We have saved one hour on University education and can you not give this hour to the discussion of adult education?

**Mr. SPEAKER:** There is no such item in the demand as adult education; it is either included in University education or in secondary education.

**Mr. SARAT CHANDRA BOSE:** I think we ought to have some time to educate ourselves.

**Mr. JOGESH CHANDRA GUPTA:** I think this motion ought to be put to vote now.

**Mr. SPEAKER:** I will put the entire demand to vote. There is no separate demand for University.

**Maulvi TAMIZUDDIN KHAN:** I beg to move that a sum of Rs. 1,17,40,000 demanded for expenditure under the head "37—Education—General" be reduced by Rs. 100.

My purpose is to draw the attention of the House to the urgent necessity of making primary education free and compulsory without further delay. This is a question which hardly requires any debate on the floor of this House. I think there is no one in this House or in the country who does not wish that there should be immediate introduction of free and compulsory education in this province. Yet why are we not having what every one of us has been demanding for so long a time? That is the question which I intend to discuss by way of the motion which I have just now moved. Now, the principal question that centres round a proposal like this is whether primary education can be made free and compulsory without taxation. There are some people who think that primary education should no doubt be made free and compulsory but there should be no taxation imposed for the purpose of doing it. I submit that if it is possible to make primary education free and compulsory without any taxation, there is no one who will demur to that idea. Those who are in favour of taxation, their attitude is not that there must be taxation. If they support taxation, they support it under a painful necessity, because without such taxation primary education under the present circumstances cannot be made free and compulsory. Some of the honourable members of this House during their election campaign gave out hopes to their electorates that primary education would be made free and compulsory, without any taxation for that purpose. Our elections are now over and under normal circumstances we can wait at least for five years more before we shall have to face another election. At present I therefore, think we can probably speak without our eyes towards our electorates. Now, I ask every one of this House to consider whether it is possible under the present circumstances to find the money that is necessary for making primary education free and compulsory without any kind of taxation. If that is possible, it will be most welcome. I and my friends will not countenance the idea of groping in the dark for a further period of time and wasting valuable time in framing schemes which cannot materialise. Giving tax is not a pleasant experience. Therefore, if some of us say that we are prepared to pay even a tax for the purpose of making primary education free and compulsory, it is not on account of any morbid and unnatural desire to pay taxes, but it is on account of the realisation of circumstances prevailing in this country. Is there any alternative scheme of making primary education free and compulsory without taxation? There is none yet. The Chief Minister in charge of Education has not yet taken the House or any member of the House into his confidence as to any such scheme as may be in his contemplation. Therefore, we have to resort to the inevitable idea of taxation for the purpose of making primary education free and compulsory. Of course, there is opposition and there must be opposition, but the opposition to this proposal will probably divide the members of the House into two distinct divisions

—those who really want primary education and those who do not really want it, but merely profess that they want it. If we really want it, we must be prepared to show the ways and means whereby the thing can be done, with taxation or without taxation. Although it is possible to find some money by resorting to measures of economy, this will not at all be sufficient to meet the whole cost of introducing free and compulsory education in the province. As I have said before, some money could be found by having recourse to economy, but it will not be sufficient for the purpose. I submit, Sir, that we should not refrain from having these few lakhs which will be a useful asset and which will supplement the money required for the enforcement of the Rural Primary Education Act. I submit that no further delay should be made in enforcing the provisions of the Rural Primary Education Act.

Now, Sir, the Hon'ble Finance Minister admitted the other day on the floor of this House that the depression was at last over. If this is so, can there be any justification for not enforcing all the provisions of that Act? Money is being found for various other things. Fortunately terrorism is dying; but supposing instead of dying it raises its head once again and spreads throughout the length of this country, then will not Government face it and will not the Government find money for fighting the evil? Certainly they will have to. I submit, Sir, that the members of the Government do not feel in the same way in the matter of introducing primary education as they feel for certain other hobbies of theirs. Had they the same feeling for the welfare of the masses, I think they would never have hesitated to adopt proper means to make primary education free and compulsory. If they can show us a way whereby it can be done without taxation within a short time, that would be a welcome idea. Can they do so? I have already stated that they have not yet laid any scheme before the House. Therefore, without wasting further time over the oft-debated question I want to make a constructive suggestion. The whole of Bengal could not be economically in the same position to-day: some parts may be in distress and certain parts in comparative prosperity. I would submit that if certain districts are in favour of enforcing the provisions of the Act, there is no reason why Government should hesitate to enforce the Act in those districts. For example, the district board of Mymensingh made an application to the Government to enforce the provisions of the Rural Primary Education Act there. But what Government did was that they yielded to certain telegrams and representation against it from certain quarters in the district of Mymensingh. I do not say, Sir, that Government should not be responsive to popular feeling; they must do so. But they should look into the origin of a particular agitation. The District School Board, the lawful authority of that district with regard to the primary education as well as the district board, was, I think, unanimously in favour

of enforcing the provisions of the Act. But interested quarters raised objections and they will certainly raise objections even when Bengal is far more prosperous than she is to-day. Therefore, I think Government was not right in hesitating to enforce the provisions of the Act in the district of Mymensingh on account of such objections.

I would suggest that if there are any districts which come forward with constructive schemes to enforce the Act, Governments should not hesitate to do so. Similarly, if there are other districts which do not come forward with such demand, Government may make certain other experiments in those districts.

I would ask the Government to take a leaf out of the book of Mr. Gandhi who suggested that primary education can be made free and compulsory and self-supporting: of course he has not made his point clear. But I would submit that Mr. Gandhi is certainly a person who cannot be regarded as a visionary. He is full of constructive ideas. Then, Sir, this Government should enquire and investigate what Congress Governments are going to do in this direction. I would ask our Government to enquire into and investigate those constructive suggestions, and after that investigation I would ask our Cabinet to make experiments in certain districts of Bengal on these lines. Our own Cabinet may have certain ideas of their own and they can make experiments on those lines also in certain other districts. What I submit is this that we cannot wait any longer. We have always been fighting for free and compulsory primary education and we have been giving promises to our electorates—the illiterate masses—that things would change as soon as we got Provincial Autonomy. Provincial Autonomy has come but as yet no constructive and substantive scheme has been placed before the House. There is nothing to show that steps are being taken to introduce free and compulsory education without delay. I therefore implore our Cabinet not to make any further delay but to take a bold step and enforce the provisions of the Rural Primary Education Act as soon as possible.

With these words I commend my motion to the acceptance of the House.

**Mr. W. C. WORDSWORTH:** Mr. Speaker, Sir, this is as important a matter as it is difficult and it is well that it has been brought up so early in our life as a new House. I trust however that no word will be said in this discussion to suggest to people outside the House that you can give Bengal a universal system of primary education without the province feeling the pinch. We have down in our motion paper one or two motions which suggest that it is easy. Now, it is said

of an Englishman that he pays his taxes in sorrow and his rates in anger. But not only the Englishman, I think India has found the same experience amongst all classes.

We do not want primary education spread all over the province, but we have never yet arrived at any easy, I might say, any possible way of doing it. When I was an official more than once I was engaged in a survey of possibilities. I remember that the very lowest estimate we arrived at for the most meagre kind of primary education was about 2½ crores per annum, and we were rather ashamed to think of the kind of school which would be given to the villages out of that. Our problem in Bengal is that fundamentally we are a land of villages. We want village schools: yet the villages can contribute very little towards them. We have a Primary Education Act, but we have done very little with it. There is the proposal that we should resuscitate it at once and make it effective. I hope we don't. I hope that before we take that Act into use we put it before a competent committee of public men and educationists and consider what is the best that we can get out of it, be ready to change our ideas and ideals if we find it necessary. For as I said the other day in our general discussion, this province has some 50 or 60 thousand primary schools—most of them ineffective. They are private schools under no sort of control, they are precarious, they are inefficient; but unless we are very careful when putting the Act into operation all we would do would be to cause the disappearance of these many thousands of private schools to make room for a large number of small public and equally inefficient schools. Therefore, I would suggest that that committee, dealing with the Act, might take into consideration first of all this line of action. Consider the large villages first and provide them with schools. When they are equipped, consider villages of the next size, and so on; but at one time take a definite piece of work in a definite area, equip this with schools, otherwise if we embark on so immense a project, so undefined a project as giving the whole of Bengal a system of primary education we shall never get going. We shall waste our time and probably our money over the preliminaries. May I give one illustration from my own country which would show at once the difficulty of our problem? We have, I think, 60 thousand primary schools in Bengal and I suppose the children in them are about a million and a half. In England we have 23 thousand primary schools and there are 5½ millions children—in them all the children. I do not think we can hope for any such results in Bengal for many years, but we might hope to do something of a similar kind in some chosen areas such as selected villages. If we could provide villages with schools, a thousand this year, a thousand next year and a thousand the year after, we should make progress. And I say that because of one fundamental principle of primary education. It has been found by experience—I put it into mathematical

terms—that one school of 150 children with three teachers is much more valuable to the community, and gives much more result for the money and effort spent on it, than three schools of 50 children each under one teacher. Therefore, I would put that forward as a principle of guidance for us when we resume our discussions of this very difficult matter.

(After Mr. Wordsworth finished his speech several members from different groups stood up and wanted to speak.)

**MR. SPEAKER:** I hope the members will kindly realise the difficulty of the Speaker when they rise up all at once from the different groups of this House. After a member of a particular group has initiated a debate and before another member from that group speaks it is only fair that I should give an opportunity at least to one member of the other groups. I hope also that the members will not misunderstand me, but it is extremely difficult for the Speaker to find out from a particular party who will speak unless he gets some sort of guidance from the Leader of that party otherwise he would have to draw by lots. I propose hence forth, subject to there being a speaker, that if the Congress party initiates a debate I will follow it up by Coalition group, if the Coalition starts a debate I will follow it up by Congress group. Thereafter I will go to the other groups in the House, namely, Praja group, European group, Scheduled Caste group and Nationalist group. I hope the members will kindly realise the position and rise up accordingly.

**MR. RASIK LAL BISWAS:** Mr. Speaker, Sir I rise to support the motion moved by my esteemed friend Maulvi Tamizuddin Khan. It is needless to say that Bengal is in great need of primary education. We all feel how greatly we want primary education, free and compulsory, throughout the country. Sir, the policy of the Government so long, as we have seen, has been to keep the province downwards economically, educationally and physically. A large sum of money is being spent but there is no progress in any direction. In educational matters also a large sum of money is being spent every year but that goes only to higher education and nothing for primary education. Sir, only Rs. 27 lakhs out of 1½ crores of rupees has been set apart for primary education. This is inadequate. Moreover, the demand for free and compulsory primary education has been too strong in this country but I do not know why the Government has turned a deaf ear. Government can find money for police, for keeping down the youths of this country, for all sorts of things that they like, but they cannot find money for primary education. No excuse can convince me at least of any good will of the Government.

Sir, I come from a community which always finds a ludicrous position in this world because of want of education. We have been

made to remain in this condition by the Government, but this position of ours can be removed within a period of five years if the Government give us wholesale education. The British Government have declared all through that the scheduled castes, or the depressed classes as they are called, are the trust of the British people and whenever the question of granting self-government has come they have said that they cannot grant India self-government because there are depressed classes who require their special attention. They have always said that without their protection, without their looking after, the depressed class people will not be able to live or thrive but they have done nothing; they have kept us in darkness all through. They are doing this only to serve their political purposes and they are playing the game very carefully and very skilfully. During the period of nearly 200 years of British reign, as we all know, Sir, not even one per cent. of our people have been educated. Consider for a moment, Sir, what sort of deception has been practised upon us by the British Government who always claim to be our trustees.

Sir, under the new regime we have been given a special political right, but whatever right we may get we cannot utilise it unless our people get sufficiently educated and that education can only be possible if the Government come forward with help. There have been earnest efforts amongst our people to get our boys and girls educated, but so far we have received no encouragement from the Government. Our schools are generally uncared for. Primary schools we have started many but very few have received Government patronage. We have started a large number of M. E. schools, but the position is the same—no care is taken by anybody. We have got a large number of high schools even, but the same story state indifference is told here also. We are doing our best to elevate ourselves but how can the scheduled caste people rise up without the help of Government but the Government patronage has been kept reserved for the big people. Even in this year's budget a large sum of money is going to higher education and a good sum to the majority community, the Moslems, but a very small amount has been given for the scheduled castes. I do not grudge that my Moslem friends have got this amount: I like that everyone of their boys and girls should be educated, there should be no uneducated people in this province. We like this because we want to elevate ourselves. We do not want simple reading and writing but we want that sort of education which will revolutionise our minds and which will create a revolution in the country. Sir, we the scheduled caste people are the poorest in economic matters and the most uneducated and we want to be at one line with other sections of the people, but that is not possible in the ordinary course. It requires revolution and without revolution this much change in the society cannot be possible. The big people must come downwards to meet us and we the poorest of the

poor and the most pitiable creatures rise to run up. We want that sort of education which will be able to revolutionise our society.

(At this stage the member having reached his time-limit resumed his seat.)

**Maulvi JONAB ALI MAZUMDAR:** Spoke in Bengali of which the following is an English translation:—

Sir, it is the elementary duty of every civilised Government to remove the ignorance and illiteracy of the people. Bengal Government have always shelved the question of the introduction of free primary education on the plea of shortage of funds. Anything conducive to the well-being of the poor rural population has been delayed either on the pretext of shortage of funds or on some other grounds. The law enacted in 1935 for the purpose of giving relief to the agricultural debtors has not yet been enforced in all parts of Bengal. I personally know of cases where the District Magistrate called the first sitting of the Debt Settlement Board some 4 months after the formation of the Board had been announced in the *Calcutta Gazette*. As a result of this dilatory policy many peasant families have been deprived of their all. As a matter of fact Bengal Government have become accustomed to disregarding the interests of the poor masses. How is it that nothing relating to the police, judicial or any other department is held up for want of money? We also noticed in the previous regime how Government incurred expenses in anticipation of sanction by the Legislative Council. Compulsory free primary education may be introduced without levying an educational tax. Expenses for this education should be met from the sum of more than Rs. 2 crores which is obtained from the Government of India on account of jute. Is it not right that the major portion of jute duty should be spent on benefiting those who grow jute? Free primary education ought to have been introduced long ago in the most important of the jute-growing districts of Bengal. I think that, except the European members of this Assembly every other member must have given pledges to his constituency that his first and foremost duty in the Assembly would be to introduce free primary education. The Hon'ble Chief Minister also made this declaration in his election speeches from one end of the province to the other. The Hon'ble Finance Minister also must have noticed during his tour how strong public opinion is regarding this subject in rural Bengal.

(At this stage Mr. Speaker left the House and the Deputy Speaker, Mr. Ashraf Ali, took the Chair.)

**Babu JAGAT CHANDRA MANDAL:** In support of my friend I would say a few words about the free and compulsory primary education. Sir, we have been hearing lecture after lecture, but no constructive programme has yet been presented before the House. I want to

place before the House the first and foremost duty of those who are representatives of rural Bengal. Sir, we have come here to serve the country best and we should think over the matter how we can do this. First of all, I would remind the House that the illiteracy of Bengal is one of the seven wonders of the world. 90 per cent. of our people are illiterate, and who are those people? These are the poor cultivators and tillers of the soil. If free and compulsory primary education be introduced into the country, the poor children of the cultivators and the day labourers would derive the benefit. I can very well tell the Government and the leaders of the country—those leaders who are crying for the liberty of the country so much—that they do not cry so much for free and compulsory primary education for the poor children of the cultivators of the soil. Sir, during our election propaganda, when we went to the electorate, we heard our village teachers questioning us “Sir, we have been hearing schemes after schemes which the Government is preparing, but nothing has been done.” The first scheme was that of Mr. Biss, then came one made by Hon’ble Sir Nazimuddin and another by Hon’ble Mr. Azizul Haque. There has thus been scheme after scheme but no scheme has yet been materialised, because whenever the question of free and compulsory primary education came up and the question of money arose, the answer was, there was no money. I ask the House why there should not be money for free and compulsory education? Sir, I ask the House who produced the wealth of the country? I should say that money is produced by the cultivators and labourers. But when the question comes up for education of the children of those poor cultivators, will the Government or the House be justified in depriving those children of the poor people of that, though they produced the nation’s wealth, and should 90 per cent. of the poor people be kept in ignorance and darkness? So I respectfully appeal to the members of the House and especially to the Hon’ble Education Minister that without further delay the Cabinet should take up the cause of free and compulsory primary education. I also appeal particularly to the hon’ble friends of all groups to support my proposal and to put pressure upon the Cabinet to take up the cause of primary education without a moment’s delay. The rural Bengal is paying greater share of revenue into the exchequer and will the popular Government be justified in spending greater portion of the money for higher education, collegiate education and University education? It does not matter much if the higher education could be stopped for 10 years more and the money be spent for primary and secondary education. I therefore respectfully appeal to the Chief Minister and other members of the Cabinet that without a moment’s delay the cause of free and compulsory primary education should be taken up.

At this stage the House was adjourned for 15 minutes.

*(After adjournment.)*

**Maulvi MUHAMMAD ISRAIL:** Mr. Speaker, Sir, I beg to lend my support to the motion moved by my friend Maulvi Tamizuddin Khan. Rural primary education has long been overdue. Everybody in this House has given during the election time pledges to the electorate that this is the first thing to which he would draw the attention of Government, but after being in this legislature we are finding that this question is being shelved. We do not know when it will be introduced. Practically, primary education is the crying need of the country, but it has not been able to receive any attention in the hands of Government. Sir, I, as hailing from the district of Mymensingh, may remind the House that, so far as the district of Mymensingh is concerned, the District Board, the Local Boards, the District School Board, and the Union Board Association of that district have unanimously recommended to Government for introducing free and compulsory primary education in the district of Mymensingh, and, probably, on their insistent demand Government were pleased to direct by a notification that some of the provisions of the Primary Education Act would come into force in that district on the first of January, 1937. In accordance with that notification, preliminaries have been finished—I mean the site selection for schools and other things have been finished, and as many as 2,800 schools have been selected for this district, and notices have been issued for the realization of the education cess, and the 1st of June, 1937, has been fixed as the date from which the tax would have been realized. But, in the mean time there was some agitation on foot by some interested persons and some public meetings were held in different places, mostly by zemindars, and in some of them resolutions were passed that people did not want primary education with taxation. Certainly, Sir, I for myself also do not want that there should be primary education with taxation, but the point is that the Primary Education Act was passed in 1930, but its operation has been put off only for want of funds. I want definitely to know from the Hon'ble the Chief Minister whether it is possible to introduce this Act within a very short time, I mean within a month or two, without taxation. If that is impossible let the Act be enforced without taxation. But if that is not possible, I want that it should be introduced even with taxation, so far at least the district of Mymensingh is concerned. From an interpellation which I put to the Hon'ble Minister for Education I find that in the district of Mymensingh Rs. 1,83,000 was spent for primary education in that district from provincial revenues. The estimated receipts from an education cess, if imposed, will be Rs. 9,67,000 and odd. However, I think that so far as the district of Mymensingh is concerned, the Act can be introduced even without taxation. There is a surplus of 34 lakhs in the budget, and as

all the preliminaries have been made, I think a start may be made in this district with this surplus that is in the hands of the Hon'ble the Finance Minister. And after this experiment in Mymensingh, it may be extended to two or three districts, or to all the districts in Bengal if found practicable. Now, I intend to draw your attention to one or two other aspects. As the scheme has been drawn up by the Education Department, each school that is to be established under the Primary Education Act will have three teachers, with a pay of Rs. 16, Rs. 12, and Rs. 10 respectively a month; and of these three teachers the two with the higher salaries must be trained teachers. So far as the district of Mymensingh is concerned, it is expected that there will be about 2,800 schools. According to that declaration we need 5,600 trained teachers for our district alone, but at present there are only 1,735 trained teachers in our district. There are only four guru training institutions, viz., one at Kishoreganj with 14 seats, one at Sadar with 40 seats, one at Tangail with 20 seats, and one at Jamalpur with 20 seats. There is no training centre in the Netrokona subdivision, but there is one that is maintained by a Missionary Society. So that, in all probability, there are not more than 100 or 108 seats available for the training of primary education teachers—.

(At this stage, the member having reached the time-limit, resumed his seat.)

**Khan Bahadur Maulvi FAZLUL QUADIR:** Mr. Speaker, Sir, in rising to speak on this motion I would like to submit only two definite proposals. Every one is complaining of want of money, and without money it is simply impossible to do anything for primary education. It is not a matter of 1 lakh or 2 lakhs but of crores and crores. Therefore my definite suggestion is that free and compulsory primary education must be introduced without any taxation whatsoever, so that it might be appreciated by the public. Otherwise, there will be great agitation everywhere although there are some districts in Bengal which are prepared to accept primary education with taxation, even. There are many chowkidars in each village; formerly, they were under the management and supervision of the police, but since the introduction of the Bengal Village Self-Government Act, 1919, they were placed under the control of each union board. The chowkidars' pay amounts to Rs. 1,000 per annum for each union board, and the union board has to meet this pay out of their collections, so that about 90 per cent. of the total income of a union board goes to meet the pay of the chowkidars and a very small amount is left for village upliftment work. My experience is that this money spent on chowkidars and dafadars is absolutely wasted. They are supposed to watch and guard the villages, but actually they do not do anything to prevent thefts, burglaries, incendiarism, riots, murder, etc. Nothing is done by them to prevent

all these crimes. Their duty has become simply to give salams to the President Panchayat, go to the markets for making purchases for them, and carry out their orders and simply to dance attendance on them. Sir, we are getting self-government gradually and we must learn to guard ourselves. Therefore, I propose that the posts of chowkidars be abolished, and that their pay should be diverted to the maintenance of four, five, or six primary schools, as are required, according to the area and dimension of each union board, supplemented by the present grants which the District Board and the Government make to the union boards. I do not think that more than six schools will be necessary in each union board. I therefore suggest that the chowkidars be abolished, and only one peon may be attached to the union board to help the president. Sir, there is no chowkidari system in the Arracans which is adjacent to the district of Chittagong. When these people, viz., the Arracans and the Mughls, can manage their own affairs without chowkidars, I do not see why we should not be able to do so. We are better educated and more advanced and civilized than these Arracans and Mughls, and that is all the more reason why we should be able to do without chowkidars, and defend ourselves. In some parts of my district village defence societies have been formed. So, while we are getting self-government we must try to defend ourselves and form defence societies. From my long experience of villages I can say that the only important work which the chowkidars perform, viz., the supply of information as regards births and deaths and keeping registers for that purpose, may now be done by the primary school teachers without any trouble or difficulty. In support of my argument I shall read an extract from an article which was published in the Statesman of the 9th of August, 1937, under the heading 'Path to Progress'. "The imposition of taxes on agricultural incomes above a fixed minimum and the abolition of the chowkidari tax were advocated as measures which could be adopted by the Government for the amelioration of the lot of the tenants by Mr. Krishna Ballav Sahay, Parliamentary Secretary, Land Revenue, in a speech at Siwan, North Bihar." I, therefore, most respectfully urge my colleagues, the honourable members of this House, to give due consideration to my proposals, viz., whether there is any necessity for keeping these useless fellows who are a burden on the poor rate-payers of the village unions, and whether we should not use the money thus saved for spreading primary education amongst the masses.

Now, I come to my second point, viz., non-recurring charges. This relates to section 18C of the Bengal Tenancy Act under which all unclaimed landlords' fees and landlords' transfer-fees deposited with the Collector and all fees deposited with the Collector under the appropriate section shall, unless accepted or claimed by the landlords within 5 years from the date of service of notice, be forfeited to Government,

to be credited to the District Boards, within the respective jurisdictions of which such fees accumulate. It is well known that lakhs of rupees have been accumulated as landlords' transfer-fees and have not been withdrawn; so they have been forfeited to Government, to be credited to District Boards. Accordingly my proposal is that this huge sum should be diverted to meet the non-recurring charges involved in the construction of school buildings, and also for their equipment and furniture. Thus, annually we can get from this source 4 or 5 lakhs a year for the next five to six years. I would request the Hon'ble the Finance Minister to let us know how much money has accumulated at present under this head and how much is anticipated to be disbursed to the joint landlords. I believe that there has been an accumulation of 30 to 40 lakhs of rupees. So, the cost of construction, acquisition of land, purchase of furniture, etc., etc., may be easily met from this source. Many roads are being taken up by the Road Development Fund. So there will be a saving under this head to the District Board.

With these few words I most respectfully ask the house to consider my suggestions.

**Maulvi AULAD HOSSAIN KHAN:** Mr. Speaker, Sir, the first and foremost duty of the Legislature under an autonomous Government is to introduce free and compulsory primary education in the province. The vast majority of the population is steeped in the darkness of ignorance and if we want to raise them socially, politically and economically we must first of all give them education to strengthen their backbone. The gross illiteracy of the masses combined with their appalling poverty has been a positive set-back to their progress in every walk of life.

There has been a consistent and insistent move both inside and outside this House to ameliorate the economic condition of the masses but may I ask, Sir, how is it possible to bring about economic regeneration of the people without proper education?

Sir, we on this side of the House have mostly come from villages and of all men we know how the demon of illiteracy has been causing serious impediments towards all healthy progress. The agriculturists of to-day are hovering in the darkness of ignorance. They do not know simple arithmetical calculations and as such they fall an easy prey to the exacting landlords' officers. They are most superstitious in their dealings, uneconomic in their ways of life and unaware of the elementary rules of hygiene regardless of their future. They have got their grievances but do not know how to get them redressed. This is a thing which can hardly be allowed to remain longer.

We are bound by our election pledge to introduce primary education and we must honour that pledge if we are to justify our presence in

this House. Taxation or no taxation, we want it immediately. To give effect to the Primary Education Act some spade work is necessary, namely, to make a general survey of the whole of Bengal in order to select sites for schools considering area, number of school-going boys and local conditions and secondly, a sufficient number of gurus are to be trained so that we may get the services of the requisite number of gurus when necessary. I have to draw here the attention of the Hon'ble the Chief Minister, who is Minister in charge of Education, towards the improvement of the guru-training schools. The number of gurus in each school and the method of their training has to be improved according to the present education system: but I need not dilate upon it here for the present. I would like to make it clear to the Hon'ble Minister in charge of Education, that the volume of public opinion is strongly in favour of the introduction of compulsory primary education at the earliest possible opportunity.

Some measure of taxation in this respect may be necessary, but we won't grudge it. We cannot tolerate any delay in the matter of its introduction. The Hon'ble Chief Minister may feel some amount of delicacy to impose taxation in view of his declaration on the eve of election, but I would like to inform him that we are sick of waiting. People will not mind to pay taxes when they will realise that at a minimum loss they will be deriving maximum gain.

They will surely realise the importance of education in the words of Robindranath that "The boy who reads in the thatched house has greater contact with the civilised world than with the illiterate neighbour".

We will not press this motion if we get an assurance from the Hon'ble Chief Minister that primary education is going to be introduced shortly.

**Maulvi MIRZA ABCUL HAFIZ:** Mr. Speaker, it is needless to say that the problem of free and compulsory primary education has been the burning question of the day and has been the crying need of millions upon millions of the people of the country.

It was overdue, Mr. Speaker, overdue even a hundred years back.

I crave your indulgence to cite incidentally a few quotations from the sayings of the Holy Prophet some 14 centuries ago regarding education. He said "Education is incumbent upon both the males and females". "The ink of a scholar is holier than the blood of the martyr." Furthermore, "To listen to the instructions of science and learning for an hour only is more meritorious than attending the funerals of a thousand martyrs, more meritorious than standing up in prayer in a thousand nights". Thus we see what an impetus was given

to education by the Holy Prophet and it was even more than compulsory at the time. But now after some 1,400 years we are fighting to make primary education compulsory while some 95 per cent. are illiterate under some civilised power's rule and administration.

This discussion on free and compulsory primary education reminds me of one pathetic scene of 1930 when the Free Primary Education Act was passed. At that time it was the Congress which walked out of the Council in protest of that Primary Education Act, nay, even more, an Hon'ble Minister of that time walked out of the Cabinet and resigned from the ministry in protest of the passing of that Free Primary Education Act. It was shame, unutterable shame for the Congress when it was in power not to push this Act and not the least shame on the part of the Government too not to introduce this Free and Compulsory Primary Education Act earlier. One thing, I beg to be excused for mentioning in this connection, is the amendment of the Bengal Tenancy Act in 1928. In that year my friends on the opposite, I mean the Congress, passed section 26D—the section of the landlords' transfer fees, for which almost half a crore of rupees was extracted from the pockets of the unfortunate illiterate agriculturists; for section 26E, the section of Pre-emption for which some 30 lakhs of rupees is generally extorted, and for section 88, the section of subdivision of tenancy in which four times the rent was ordered to be paid to the landlords. Now we see that for all these about a crore of rupees per year is taken out of the pockets of the unfortunate agriculturists. It is a shame for the Congress to pass such an Act when it was in power and also a shame for the Government which allowed that Act to be passed. I think not a single day should be allowed to pass in repealing that Act.

**Mr. RAMIZUDDIN AHMED:** Sir, I do not like to lay great stress on the necessity of primary education because it is indisputable, in my opinion, that intellectual advancement of the masses is a great necessity. If we can give intellectual food to the masses than our cry of starvation, distress and suffering of the masses would cease. If we can give intellectual food to the people, they can assert their rights and privileges and earn food for their stomach. If the masses of our country are intellectually advanced, the members of this House would not be able to deceive them in the manner they are doing now. We have given pledges that we shall give primary education without taxation. But when we are returned we forget our pledges and are going to raise various pleas by way of explanations that as there is no sufficient money free primary education cannot be introduced without fresh taxation. I fully realise that money won't be coming from heaven, but I think we ought to be able to find money out of our revenue of Rs. 12,17,00,000 without levying any new tax. Levy of any new tax is impossible. People have not a single pie to spare. I can say from my personal experience that people of our country cannot even pay Re. 1 or Rs. 2

to the primary teachers per year. When the Debt Conciliation Boards were formed for 5 or 6 months back in our Daudkandi Union in Tippera, people were crying for their establishment almost everywhere, but when they heard that all the mahajans would be invited there and the *kists* would be given on a total estimate of the dues of all the mahajans, they refrained to go to the boards, because they were not in a position to pay any kist at all. When 12 years back these people were in affluent circumstances there was no talk of free primary education by the masses. Now, when the Mussalmans of our country cannot pay Re. 1 or Rs. 2 a year for the teachers and munshis they want Government to give them primary education. The only remuneration that the teachers and munshis get is what can be given out of the District Board grants because the villagers cannot pay anything although they intend to educate their boys and girls. I say that the masses are not in a position to pay taxes and if they were in a position to pay any tax, they could themselves engage primary teachers as they used to do before and would not have called for Government help. The only source which is open to us therefore is curtailment of expenditure, but my friends of the Coalition group who are bent on lending their support to the Ministry have helped them to get the Police demand passed on the pretext of public safety and allowed other demands passed for feeding the bellies of the high salaried officials. They are very liberal so far as that is concerned, but in regard to the question of the real welfare of the masses, they have nothing to say. I am concerned with the question of educating the masses without the imposition of further taxation, but I am surprised to hear the supporters of the Ministry talking of taxation to have free and compulsory primary education. I must therefore tell the Hon'ble the Chief Minister that if he takes recourse to further taxation he will simply dig the grave of his own future political career. With these words, Sir, I support the cut motion.

**Babu UPENDRA NATH BARMAN:** It seems that this question of free and compulsory primary education is going to be agitated over and over again in this House and that without any result; but I do not know how long it will take this House like its predecessor to solve this problem. Sir, I think it was Plato who said, labour is the source of all wealth. The real wealth of Bengal is produced by its labouring class which is mainly agriculturist. May I ask this House therefore on behalf of that labouring class as to how long they are going to debate over this question without doing anything? The late Mr. Gokhale was the first exponent in India of free and compulsory primary education. Measures for primary education were twice introduced in the last Council, but the question was shelved. Then, if I remember aright, the Hon'ble Khwaja Sir Nazimuddin, as the then Minister in charge of Education, introduced a measure for the third time in the last Council when to my utter astonishment, I found the followers of

Mr. Gokhale opposing that Bill. And if I remember aright, on that issue, Kumar Shīb Shekhareswar Ray, who was a Minister at that time, resigned, and that as a mark of protest 56 Hindu representatives of the last Council walked out. It is beyond my power to understand what was the secret behind that protest. In that Council, in the year 1928, one of the gentlemen of the European group supported the measure very strongly, and the whole European group supported the Bill that was passed. Now again in this year 1937, I find Mr. Wordsworth saying, if I understood him correctly, that if the scheme propounded for imparting free and compulsory primary education to the agricultural population cannot be put into operation, it is better to re-organise the existing primary schools. I have no dispute with him over that. In one of our district board meetings, it was suggested by the Chairman that if we give such a poor pittance to poor school masters, nothing can be done to improve the standard of teaching imparted, especially as the instruction of Government is to go on increasing the number of schools without increasing their efficiency. I think therefore that Mr. Wordsworth is right, but my point is not whether Government is going to introduce free and compulsory primary education or whether considering all the circumstances it is necessary to improve the existing primary schools. My point is that it is the duty of this House to see that the agricultural population of Bengal who are producing 90 per cent. of the wealth of the province must be given their just due. If we neglect them, we should be failing in our duty. This is a demand against which, I think, there is not one dissentient voice, but the question is, how to introduce it, what scheme is to be adopted, and wherefrom the money is to come? To me who is new to this Council and who know very little of the administration of this province, a suggestion did strike me that this year's surplus in the Budget could be well spent in this direction. But I find that the major portion of it has been spent in embellishing all the other departments which are going on merrily with the result that only a surplus of Rs. 34,00,000 is left, out of which a good portion will go to meet the increased expenditure of our Legislature and other sundry expenses. I hope, Sir,—

(At this stage, the member having reached the time-limit, resumed his seat.)

**Mr. A. M. ABDUL HAMID:** May I be permitted to say a few words on account of the aspersions made against our group by—

**Mr. SPEAKER:** Order, order. I must tell you that there has been no aspersion of any kind. I must say, however, that there have been frequent interruptions both from that section of the House as well as your section which only interfere with the transaction of business of this Legislature. This, I must tell you, should be deprecated.

**Mr. SYED ABDUL MAJID:** Mr. Speaker, Sir, there is no denying the fact that everybody is anxious for the introduction of free and compulsory primary education in this province. Primary education is essential for the political, economic, social and general advancement of the country. But the question is, how to introduce it. I am told that an Act had been passed in 1930, but it could not be given effect to for want of funds. The matter was, therefore, shelved. Now there is a universal demand that primary education should be introduced at the earliest possible opportunity and the mover of this motion says that it must be done without taxation, if possible, if not, then by taxation. The next question is, when can we introduce it. Can we introduce it just at the present moment or can we wait for sometime more? These are the two questions which I thought within myself.

As for the first point, namely, the introduction of primary education without taxation, it seems to me to be impossible. (A VOICE: Oh, no.) My learned friend says that it is impossible. I say, Sir, it would have been possible if we were able to cut the expenditure under various heads most drastically, but that was not found possible (A VOICE: Why not?)—because the budget under those heads are already passed. The question, therefore, is, are we prepared to pay further taxation for the introduction of primary education. I think, if you want free and compulsory primary education, you must be ready to pay the minimum tax for its introduction. (A VOICE: But we are paying the maximum tax.) Mr. Ramizuddin Ahmad has said that we can manage to impart elementary education to our boys at home by engaging a Munshi at Rs. 2 per month and we are not in a position to pay further taxation. But, Sir, even if you pay Rs. 10 to a Munshi per month, you cannot have that education which you can have in a well-established public school in which the cost of education would be much less. In a school you get quite a different atmosphere from that at home. Besides, Sir, primary education does not concern individual students, but boys and girls in general.

As I have already said, there is absolutely no controversy that there should be primary education. So far as the time when it should be introduced is concerned, I think it is not possible to have it all at once, although my friend, Mr. Tamizuddin Khan, seems to be anxious to introduce it all at once. We might have given our pledges to our various constituencies at the time of the general election that we must get introduced free and compulsory primary education at the earliest possible moment. But, we find now that it is not possible to have primary education without recourse to further taxation and that I submit must take time. It has been said that if we wait for five years, that is, till the next election, we will be nowhere; but I tell you, we are not going to wait so long. I want to have it as early as possible, say, within a year or two, and I must tell you that primary education is not

so much the concern of the poor agricultural people of Bengal as the amelioration of their abject economic condition. I think until we have done away with some obnoxious taxes, namely, that on tobacco and some other articles and until we are able to amend the Bengal Tenancy Act to our satisfaction, it will not be possible for us to levy the proposed Education Cess.

(The member, having reached the time-limit, resumed his seat.)

**Dr. NALINAKSHA SANYAL:** Mr. Speaker, Sir, I rise to support the motion of Mr. Tamizuddin Khan, and I do it not with a view to repeat the arguments of the previous speakers as to the urgency or great necessity of spreading primary education in this province, but I do it with a view to take up the challenge of some of my friends in this House as to how primary education can be made compulsory and free without further taxation. That is the proposition which I want to develop, and if any constructive suggestion is worth anything to the present Ministry, and if constructive suggestions have any value with the Hon'ble the Chief Minister, I would ask him to give me a little patient hearing. Sir, I feel that the entire policy of primary education in this province has been mistaken and misdirected. If, instead of utilising the resources of education for certain political purposes we had the objective that whatever consequences may follow, we will take the torch of education to every door, things would have been quite different. Sir, I am not speaking as an idealist merely. When six or seven years ago I came back from Europe I came with this sole objective kept high in my life that whatever happens in direct field of politics, it will be my sole ambition in life to spread primary education to the masses of India as much as possible. With that objective in view, I approached the District Board of Murshidabad which was at that time presided over by that illustrious son of Bengal, the late Maharaja Manindra Chandra Nandy, of Kasimbazar, and I put forward my scheme before him. If that scheme were adopted and followed, we would have got primary education in every village of Murshidabad by this time. The scheme was one which was actually put through in a big country like Russia and it was promulgated by no less a reputed educationist than Minister Commissar Lunacharski. That scheme has only one simple basis. The scheme is to invite non-official co-operation as much as possible. If you want a large number of ignorant people to be educated quickly you have to get the students, the young men of the province, to go round as torch-bearers of knowledge from house to house, from village to village during the times when they have their recesses, with the curriculum not merely confined to teaching the people the three "Rs" for a few hours but to give them the knowledge of their country, a little history of it, the political atmosphere and also the economic surroundings. In a country like India where there are agricultural problems, the industrial problems, and particularly in Bengal,

the home industries, the students should go round from village to village during their recesses imparting knowledge on those subjects also.

The scheme that I lay before the District Board of Murshidabad was at first looked with some little suspicion by some non-official members, but I may tell you, to my great, surprise and amazement, some of the District Board official members found great possibilities in the scheme and in the District Board meeting where I was invited to explain the system when I could with success convince some of these official members, everybody considered the scheme workable and adopted it. Then came the stage of difficulty. The District Inspector of Schools was sent for, the scheme was put up before him, and he privately sent for me and told me that he likes the scheme and that it could be worked with very little cost and found that by spending a sum of Rs. 100 only we could reach the villagers of the Murshidabad district in five years through a net-work of primary school; but officially he could not support the scheme. The scheme was that we would have certain areas marked out and in those areas the high school teachers and the high school headmasters would be entrusted with the task of opening up new schools in every village. I had personally approached many headmasters during the course of my tours and many headmasters most gladly agreed to have this additional task on their heads, because they knew that if they could multiply the primary schools their own students would increase. There is a big College at Berhampore and the Principal of the College was very enthusiastic and the young professors of the College would gladly take up the task of supervising the working of several schools in the area under several headmasters.

If we have non-official agencies as district education boards, if we had through those non-official agencies teaching arrangements made, if we had only kept, so far as Government was concerned, control over the purse, that alone would give education with little Government cost. I submit that I say with some amount of feeling of regret that in matters financial I am not as yet in a position to say that non-official agency would be an ideal, but so far as other things are concerned, so far as teaching is concerned, so far as the administrative supervision is concerned, I would leave everything in the hands of a non-official agency. On such basis I calculated that if I had 20 lakhs of rupees only per year, I could give primary education free to Bengal in course of five years.

(The member, having reached the time-limit, resumed his seat.)

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I am extremely grateful to my friend Mr. Tamizuddin Khan for having initiated this debate and giving me an opportunity of making a public announcement as to what has been done in the past and what we propose to do in future regarding the introduction of a system of free primary education in

Bengal. There seems to be a feeling abroad that we have been culpably negligent and utterly callous to the insistent demands of our countrymen for the introduction of a system of free primary education and that for the policy or want of policy which we have adopted we deserve some amount of condemnation. Those who talk of the introduction of free primary education in a province like Bengal seem in most cases to be ignorant of the stupendous nature of the task and of the magnitude of the work that has got to be done even if you wish to touch the fringe of the great problem. Sir, during the last two months we have done—what I may call—very useful spade work in order to take up the question of the introduction of a system of free primary education in Bengal. Sir, we have made a detailed survey of the existing facilities for primary education and a mass of material has been collected giving the names of union boards with their areas, the number of inhabited villages in each union, population of each village according to the Census of 1931, the probable number of boys of primary school-going age between 6 and 10, the names of existing primary schools and maddals for boys and girls and whether the schools were board-managed or aided or unaided, the amount of existing annual grant, the names of middle English and union madrasas in each union, the number of pupils in each school, Hindus and Muslims, both boys and girls. Not only this, Sir; we have prepared maps which show at a glance the nature of the primary schools that exist throughout the province, their location and all necessary particulars so far as the primary schools are concerned. We have with us maps of each thana throughout the province of the kind of which I have got a sample in my hand. This map, Sir, is a map of police-station in the district of Dacca. Here in this map we have mapped out the unions one by one, in each union we have marked the villages, in each village we have marked the schools that at present exist of the lower primary and the upper primary type. Sir, I hope the House will not now say that we have been idle. If you consider the amount of time and money that has been spent, the amount of labour that has been involved in collecting this information, you will realise that what has been achieved in the nature of spade work has not been inconsiderable; but that, Sir, only is the beginning. The survey that we have undertaken reveals certain very important facts. These materials show that there are roughly about one lakh and 10 thousand villages in Bengal situated in nearly 5 thousand unions, and about 29 thousand villages have one or more schools of the lower primary status and about 9 thousand of the upper primary status; in other words, in about 72 thousand villages in this province there are no primary schools either of the lower primary or the upper primary standard. Now, Sir, not only this: the schools that do exist are very unevenly distributed. There is a plethora of primary schools in some areas while others are absolutely devoid of anything in the nature of

primary schools. To take one example, in the district of Dinajpur there are nearly 8 thousand villages and there are 3 thousand primary schools, whereas in the district of Bakarganj there are about 4 thousand villages but there are 6 thousand primary schools. One would carry away the impression that in the district of Bakarganj not only has each village a primary school but in some villages there are more than one. The truth, however, is that in some villages in Bakarganj there are not only more than one in one village but I found six primary schools, and where there are hundreds of villages there are no primary schools absolutely. One of the problems, therefore, that face us is to secure, if possible, something like an even distribution of primary schools throughout the province. One way to tackle the problem is to leave the existing schools as they are and try to introduce schools in those areas where there are none either all at once, if possible, or gradually by any means that we may adopt.

Sir, now comes the question of cost. It has been found that if we attempt to have a school unit of about one mile radius with a school serving something like a circle of one mile radius or roughly for an area of three square miles with a population of 2,000 one primary school, and if we have three teachers for each school with an average of 135 children in each and if we pay for three teachers at the rate of Rs. 16 for the headmaster and Rs. 12 for two other teachers, it would require about Rs. 540 per annum for each school including a sum for contingency and that the total cost for the whole province would be somewhere near about Rs. 1 crore and 20 lakhs a year. It is true that if we have a less ambitious scheme, the cost per year would certainly be proportionately less. The question, therefore, is whether we should have an elaborate scheme or carry on with whatever resources we possess and be content with primary schools of a primitive kind which practically cost us nothing. My friend Mr. Tamizuddin was wandering the scheme which Mahatma Gandhi has in his mind when he said that there can be primary education with absolutely no cost whatsoever. His scheme is very plain and very simple. If you allow your boys to squat under a tamarind tree and have their lessons from some kind of *gurumahasay* I am quite sure you can have a school by supplying the *gurumahasaya* with *pan* and tobacco and something towards his breakfast and that would not cost Government or anybody more than Rs. 1,000 a year for the whole province. But that is not the kind of primary education which the educationists of the present seem to favour and their idea is to have a more improved type of schools with trained teachers, better paid teachers and a much better teaching than is imparted in the primary schools that now exist. I may say at once that I am personally against the imposition of taxation of any kind and that is the reason why I have been hesitating in enforcing the Primary Education Act rigorously throughout the province. My friend has said that I have been—I did not catch his exact words—

**Mr. SPEAKER:** May I know how long you will continue?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I will take another 5 minutes or so. As my friend has said, I have been feeling some delicacy in introducing the Act. There is no question of delicacy. I was trying to find out the ways and means for having the Act introduced without the imposition of any taxation whatsoever. Now, Sir, I find that there are districts, not all, in Bengal where the members of the Legislative Assembly and other non-official gentlemen are insisting that the Primary Education Act should be enforced; and as one member has said that he would like to have primary education, taxation or no taxation. Whatever the case may be, he would have the Primary Education Act introduced at once. As against that I have been working at another scheme which is less ambitious and therefore less costly. I have been thinking of having primary education imparted through the medium of union boards and with that end in view I visited two of the North Bengal districts, Bogra and Dinajpur, and I had discussion with the Presidents and prominent members of union boards the ways and means as to how primary education could be imparted through the medium of union boards by the imposition of taxes under section 37(b) and the amendment of section 38, by doing away with the maximum of taxation. Sir, in some cases the union boards are unwilling to undertake the task of imposing taxation. In Bogra, therefore, I found that the Collector, Mr. Nurunnabi Chowdhury, has hit upon a plan which is working very successfully and which, if it materialises, will solve the question of imparting primary education at a minimum of cost and in the shortest possible time. He is having primary schools establishment through voluntary effort in places where they have what is called *pallisamaj*. He has already filled one-fourth of the district with primary schools and he expects nearabout a couple of years to fill the whole district with primary schools of an improved type and with as little cost as possible. This is, of course, an experiment which has got to be worked. To work this, therefore, what I propose to do is that in those districts where the people are prepared or at any rate the majority of the population are prepared, and the leaders of public opinion are prepared, to face the taxation that is involved in the enforcement of the Primary Education Act of 1930, I will go on with the working of the Act; but in other places I shall wait and watch how the system adopted by the Collector of Bogra could be utilised for the purpose of imparting primary education with very little cost. Sir, I would be extremely grateful to my friend, Dr. Nalinaksha Sanyal, if he would kindly give me some of his time and explain to me the nature of the scheme which he has got in view in order to impart primary education without taxation; no one would be more pleased than I to find out some means of having primary

education without taxation. The trouble is that we cannot wait any longer, devising means and schemes and doing nothing when the cry is insistent that we should wait no longer. I am therefore proceeding cautiously: in those places where, as I have said, the people are prepared to bear the burden of taxation, I will proceed with the Act; but in other places if alternative schemes are put forward which really give a satisfactory solution of the problem, I would only be too glad to take non-official help and to go on with the scheme of primary education. I may tell this House that in the district of Mymensingh the previous Government issued a notification for the imposition of the tax and enforcement of the provisions of the Act. As soon I came into office I received numerous protests and I am simply staggered at the amount of agitation that has been caused over the notification that was issued. By the 15th of September the landlords will be paying the whole of the Education Cess and by the 30th September we will have some money in our hands in order to make a beginning. My friend, Mr. Tamizuddin Khan, has said that Government owes an explanation as to why the working of the Act has been stopped in Mymensingh. As I have said, there has been no stoppage of the work, the notification that was issued has not been withdrawn and I have within the last three days received an application from some members of the Legislative Assembly representing three or four districts, who have urged upon me to go on with the imposition of the Education Cess under the Act of 1930.

Now, Sir, having said all this, I wish to ask my friend, Mr. Tamizuddin Khan, to withdraw his motion. After all, what would be its effect? Even supposing he takes it to a division, what would be the effect of a successful division? It would be a censure on us not for what we have been guilty but for the faults of our predecessors. We have been in office for only five months and if primary education has been neglected, it has been neglected by a generation of officials who have held office before me and who for some reason or other could not undertake the introduction of primary education. For this reason, Sir, a cut of Rs. 100 does not affect the Education Budget, but it would come as a censure on us for acts of commission or omission for which we cannot be held to be guilty. Having given the assurance to the House that I will not stay my hands, that we have been doing a good deal of work, that we have been busy collecting materials, that we have done some spade work and that we are now ready to go forward with the task, and also the assurance that in those places where the people are ready we propose to go on with the scheme under the provisions of the Act of 1930 and in other places where the people are not so prepared to accept the burden of any taxation, we would have some alternative scheme, I would ask my friend Mr. Tamizuddin Khan to withdraw his motion.

**Maulvi TAMIZUDDIN KHAN:** Sir, I beg leave of the House to withdraw my motion.

Objection being taken to the withdrawal of the motion, the question was pressed to a division.

A division was then taken with the following result:—

# AYES.

Abdul Haq, Mr. Mirza.  
 Abdul Hakim Vikramপুরi, Mr. Md.  
 Abdul Hamid, Mr. A. M.  
 Abdul Jabbar, Mr. Md.  
 Abdul Jabbar Palwan, Mr. Md.  
 Abdul Latif Biswas, Maulvi.  
 Abdul Majid, Mr. Syed.  
 Abdul Wahab Khan, Mr.  
 Abdulla-Al Mahmood, Mr.  
 Abdur Rahman, Khan Bahadur A. F. M.  
 Abdur Rahman Siddiqi, Mr.  
 Abdur Raschid Mahmood, Mr.  
 Abdur Rasheed, Maulvi Md.  
 Abdur Rauf, Khan Sahib Maulvi S.  
 Abdur Rauf, Mr. Shah.  
 Abdur Razzak, Maulvi?  
 Abdus Shaheed, Maulvi Md.  
 Abidur Reza Chowdhury, Khan Bahadur.  
 Abul Hashim, Maulvi.  
 Abul Quasem, Maulvi.  
 Aftab Hossain Joardar, Maulvi.  
 Ahmed Ali, Khan Sahib Maulana Enayetpuri.  
 Ahmed Ali Mridha, Maulvi.  
 Ahmed Hossain, Mr.  
 Aminullah, Maulvi.  
 Amir Ali, Md. Mia.  
 Ashrafali, Mr. M.  
 Aulad Hossain Khan, Maulvi.  
 Azar Ali, Maulvi.  
 Banner man, Mr. H. C.  
 Barat Ali, Mr. Md.  
 Barma, Babu Premhari.  
 Barma, Mr. Puspajit.  
 Barman, Babu Shyama Prasad.  
 Barman, Babu Upendra Nath.  
 Biswas, Babu Lakshmi Narayan.  
 Brasher, Mr. F. C.  
 Chippendale, Mr. J. W.  
 Clark, Mr. I. A.  
 Crossfield, Mr. L. M.  
 Das, Mr. Anukul Chandra.  
 Das, Mr. Monmohan.  
 Das, Babu Debendra Nath.  
 Farhul Bano Khanam, Begum.  
 Fazlul Huq, the Hon'ble Mr. A. K.  
 Fazlul Quadir, Khan Bahadur Maulvi.  
 Ferguson, Mr. R. H.  
 Gammett, Mr. E. O.  
 Gaisuddin Ahmed Choudhury, Mr.  
 Griffiths, Mr. G.  
 Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.  
 Hafizuddin Chowdhury, Maulvi.  
 Hashem Ali Khan, Khan Bahadur.

Hasina Murshed, Mrs.  
 Hendry, Mr. David.  
 Idris Ahmed Mis, Mr.  
 Ispahani, Mr. M. A. H.  
 Jasimuddin Ahmed, Mr.  
 Kabiruddin Khan, Khan Sahib.  
 MacLauchlan, Mr. C. S.  
 Mahzuddin Choudhury, Maulvi.  
 Macgure, Mr. L. T.  
 Mahtab, Maharaj Kumar Uday Chand.  
 Mahtabuddin Ahmed, Khan Bahadur.  
 Mandal, Mr. Banku Behari.  
 Mandal, Mr. Birab Chandra.  
 Mandal, Mr. Jagat Chandra.  
 Millar, Mr. G.  
 Moslem Ali Mollah, Maulvi.  
 Muzammel Huq, Maulvi Md.  
 Muhammad Afzal, Khan Sahib Maulvi Syed.  
 Muhammad Israil, Maulvi.  
 Muhammad Siddique, Dr. Syed.  
 Mukherji, Dr. H. C.  
 Mullick, the Hon'ble Mr. Mukunda Behary.  
 Mullick, Mr. Pulin Behary.  
 Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.  
 Mustagawwal Haque, Mr. Syed.  
 Nandy, the Hon'ble Maharaja Sri Chandra, of Kasimbazar.  
 Nasarullah, Nawabzada K.  
 Nausher Ali, the Hon'ble Maulvi Syed.  
 Nazimuddin K. G. I. E. the Hon'ble Khwaja Sir.  
 Nimmo, Mr. T. B.  
 Paul, Sir Hari Shanker.  
 Raikat, the Hon'ble Mr. Prasanna Deb.  
 Rajibuddin Tarafdar, Maulvi.  
 Roy, Babu Patiram.  
 Roy, the Hon'ble Sir Bijoy Prasad Singh.  
 Roy, Mr. Dhananjoy.  
 Sadaruddin Ahmed, Mr.  
 Sakhrudin Ahmed, Haji.  
 Salim, Mr. S. A.  
 Sarkar, Babu Madhusudan.  
 Sarker, the Hon'ble Mr. Nalini Ranjan.  
 Sarajul Islam, Mr.  
 Shahabuddin, Mr. Khwaja.  
 Singha, Babu Kshetra Nath.  
 Suhrawardy, the Hon'ble Mr. H. S.  
 Tamizuddin Khan, Maulvi.  
 Tofel Ahmed Choudhury, Maulvi Haji.  
 Waliur Rahman, Maulvi.  
 West, Mrs. Ellen.  
 Yusuf Ali Choudhury, Mr.  
 Zahur Ahmed Choudhury, Mr.

## NOES.

Abdul Hakim, Maulvi.  
 Abdul Majid, Maulvi.  
 Abdul Wahed, Maulvi.  
 Abu Hossain Sarker, Maulvi.  
 Abul Fazi, Mr. Md.  
 Ahmed Khan, Mr. Syed.  
 Asimuddin Ahmed, Mr.  
 Banerji, Mr. P.  
 Banerjee, Mr. Pramatha Nath.  
 Banerjee, Mr. Sibnath.  
 Banerji, Mr. Satya Priya.  
 Bannerjee, Mr. Manoranjan.  
 Shawmik, Dr. Gobinda Chandra.  
 Biswas, Mr. Rasik Lal.  
 Biswas, Mr. Surendra Nath.  
 Bose, Mr. Sarat Chandra.  
 Chakrabarty, Babu Narendra Narayan.  
 Chattopadhyay, Mr. Haripada.  
 Chaudhuri, Rai Harendra Nath.  
 Das, Babu Radhanath.  
 Das Gupta, Babu Khagendra Nath.  
 Das Gupta, Mr. Narendra Nath.  
 Dutta, Mr. Dharendra Nath.  
 Dutta, Mr. Sukumar.  
 Dutta Gupta, Miss Mira.  
 Dutta Mazumdar, Mr. Niharendu.  
 Emdadul Haque, Kazi.  
 Ghose, Mr. Atul Krishna.  
 Giasuddin Ahmed, Mr.  
 Goswami, Mr. Tulsi Chandra.

Gupta, Mr. Jogesh Chandra.  
 Hasan Ali Chowdhury, Mr. Syed.  
 Himatsingka, Mr. Prabhudayal.  
 Jalaluddin Hashomy, Mr. Syed.  
 Jonab Ali Majumdar, Maulvi.  
 Khan, Mr. Debendra Lal.  
 Kumar, Mr. Atul Chandra.  
 Kundu, Mr. Nishitha Nath.  
 Maiti, Mr. Nikunja Behari.  
 Maitra, Mr. Surendra Mohan.  
 Maji, Mr. Adwal'a Kumar.  
 Majumdar, Mrs. Hemaprova.  
 Mazumdar, Mr. Surendra Nath.  
 Mal, Mr. Iswar Chandra.  
 Maniruzzaman Islamabadi, Maulana Md.  
 Maqbul Kossin, Mr.  
 Mukherji, Mr. Dharendra Narayan.  
 Mukherjee, Mr. B.  
 Pramanik, Mr. Tarinicharan.  
 Ramizuddin Ahmed, Mr.  
 Roy, Mr. Kamal Krishna.  
 Roy, Mr. Kiran Sankar.  
 Roy, Mr. Kishori Pati.  
 Roy, Mr. Manmatha Nath.  
 Sanyal, Dr. Nalinaksha.  
 Sanyal, Mr. Sasankar Sekhar.  
 Sen, Babu Nagendra Nath.  
 Shamsuddin Ahmed, Mr. M.  
 Sinha, Srijut Manindra Bhushan.  
 Sur, Mr. Harendra Kumar.

**MR. SPEAKER:** Before I announce the result of the division, I may inform you that two members entered the Aye lobby but they did not want to vote. Under the rules the moment they entered the Aye lobby their votes were recorded.

The Ayes being 104 and the Noes 60, the question was carried.

Before I adjourn the House, I might announce that to-morrow I am going to take female education for half an hour, then certain motions of the scheduled caste members for half an hour, then the madrassah for half an hour and devote the rest of the time on Secondary Education: that of course excludes the last half-hour which is earmarked for European Education which is a separate demand.

## Adjournment.

The House was then adjourned till 3-45 p.m. on Friday, the 27th August, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 27th August, 1937, at 3-45 p.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, the eleven Hon'ble Ministers and 209 members.

**STARRED QUESTIONS.**

(to which oral answers were given)

**Revaluation of cess of the Khulna district.**

\*86. **Babu NAGENDRA NATH SEN:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

- (i) when the last general revaluation of cess of the Khulna district was made;
- (ii) when is the next general revaluation normally due;
- (iii) the steps that Government intend to take to start a general revaluation;
- (iv) the principal and the staple food crop of the district;
- (v) whether the average value of land is based upon the price of the staple food crop;
- (vi) whether there has been a steady decrease in the price of staple food crop;
- (vii) if so, whether Government are aware of the hardship of the cess payers;
- (viii) the reason for delaying the starting of another revaluation; and
- (ix) whether the Collector has been moved for taking in hand the revaluation of cess of the district?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):** (i) 1927-30.

(ii) 1950.

(iii) No general revaluation is intended in the immediate future.

(iv) Paddy.

(v) The existing valuation in Khulna was made under the old Act, whereby annual value depended on rent, *vide* sections 4 and 41. Under the amended Act the acreage rate, and therefore the valuation, is based normally on the value of the gross produce of land, on the assumption that the land produces a normal crop of paddy, *vide* section 107D (2).

(vi) No, there was a sudden fall in 1931-32 and a gradual rise since 1934.

(vii) The incidence of cess per acre is so low that its payment should not ordinarily inflict any hardship whatever be the price of paddy. In Khulna any hardship there would otherwise have been owing to the increase imposed at the last revaluation has been mitigated by the rate of cess being reduced to 25 per cent. lower than the maximum.

(viii) (1) The last revaluation was concluded only 7 years ago at a cost of Rs. 74,692 borne by District Board. Another revaluation after so short an interval would mean heavy financial loss to the District Board.

(2) There are many other districts in which revaluation was made earlier than 1927-30. These should be revalued before Khulna.

(3) Neither staff nor funds are available for taking up several districts simultaneously.

(4) The result of revaluation in Jessore district is being awaited before taking up revaluation under the new Act in any other district.

(ix) No.

**Babu NACENDRA NATH SEN:** Is it a fact that the revaluation in 1930 worked out at 200 per cent. more than the previous one?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I want notice.

**Mr. SYED JALALUDDIN HASHEMY:** In view of answer (v), does he consider the desirability of starting a revaluation in the district of Khulna?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** That is a request for action.

**Babu NACENDRA NATH SEN:** With reference to answer (ii), was the figure 1950 arrived at on the basis of 20 years' interval?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Yes, generally it is done after 20 years.

**Babu NACENDRA NATH SEN:** In accordance with the amending Act of the time of the late Sir P. C. Mitter, is it not a fact that revaluation is done normally after the expiration of five years?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** It is quite in the competence of landlords and tenants to ask for revaluation after a period of five years, which is the minimum intervening period between one revaluation and another allowed in the Act.

**Babu NACENDRA NATH SEN:** If the Hon'ble Minister finds that there has been a large increase over the previous assessment, is he prepared to reduce the period from 20 years to five?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** I am not in a position to make a definite reply to that question.

**Babu NACENDRA NATH SEN:** With reference to answer (r), how could he arrive at the conclusion that the fall in the price of paddy does not entail any hardship?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** There was first a fall and then there was a rise, so it did not entail any hardship as suggested in the question.

**Babu NACENDRA NATH SEN:** Is it a fact that revaluation in 1927-30 was worked out on the basis of Rs. 4 per maund as the price of paddy whereas the price per maund of paddy is now much below Rs. 2?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** In 1927-30, revaluation was made not on the basis of price of paddy but on the basis of rent.

#### River Bhairab.

**\*87. Babu NACENDRA NATH SEN:** (a) Is the Hon'ble Minister in charge of the Department of Communications and Works (Irrigation) Department aware—

- (i) that a portion of the river Bhairab between Bagerhat and Kachua is being silted up;
- (ii) that this river is the principal or practically the only waterway for communication between Barisal and Khulna; and
- (iii) that a large volume of traffic passes across this portion of the river?

(b) What steps do Government propose taking to keep this waterway open for navigation?

(c) Have the Government received any communication or petition with regard to this?

(d) Do the Government intend taking any steps to keep the portion of the river Bhairab between Alaipur and Mansa in the Khulna district in a navigable condition?

**MINISTER in charge of COMMUNICATIONS and WORKS (IRRIGATION) DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Kasimbazar):** (a) (i) Yes.

(ii) No. The principal waterway now is *via* the Attye river and Halifax Cut during the winter and *via* the Attarabanka river during the monsoon.

(iii) Yes.

(b) There is a proposal to improve the Bemorta *khal*, which forms part of the waterway.

(c) Yes.

(d) The Alaipur *khal* was dredged some 24 years ago, but it rapidly resilted. There is a proposal for re-excavating it and providing locks at each end.

**Babu NACENDRA NATH SEN:** Is the Hon'ble Minister aware that the principal waterway in the Bagerhat subdivision is that mentioned in the question and not as indicated in answer No. (ii)?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** That is my information.

**Babu NACENDRA NATH SEN:** With reference to answer (b), when will the proposal to improve the Bemorta *khal* fructify?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I believe after the Waterways Board is constituted.

#### **Additional Bank Holiday for Durga Puja.**

**\*87A. Mr. J. N. GUPTA:** (a) Will the Hon'ble Minister in charge of the Finance Department be pleased to state whether it is a fact that the Government of Bengal has declared 12th, 13th, 14th and 15th October, 1937, as Bank Holidays?

(b) Is it a fact that Durga Puja falls on 11th, 12th, 13th, 14th and 15th October, 1937?

(c) If the answer to clause (b) is in the affirmative, is the Hon'ble Minister considering the desirability of declaring the 11th October, 1937, as Bank Holiday?

**MINISTER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker):** (a) Yes.

(b) Yes.

(c) I am afraid that I am not prepared to move in the matter, owing to the inconvenience that would be caused to business houses.

**Mr. J. N. GUPTA:** Is the Hon'ble Minister aware that the refusal to grant the 11th of October as a Bank Holiday is considered by Hindu workers as an undue interference with their religious performances?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I do not consider it an interference with the religious rights of the Hindu community?

**Mr. J. N. GUPTA:** Was there any such occasion in the past when Government did not allow such a privilege?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I am not aware of it, but I can inform the House that since 1890 the Puja Holidays have been confined to four days under the Negotiable Instruments Act.

**Dr. H. C. MUKHERJI:** I am asking for information from one who is a Hindu as to whether the Puja celebration commences from Shashti and the actual Puja takes place from the Saptami and if that is so, is it not a fact that Hindu employees will take part in the celebrations from the Saptami onwards?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I think they would like to, but all Hindu employees are not affected by it. So far as the Government employees are concerned they will get holidays before the 12th of October. The four days' holiday is only confined to commercial houses and if commercial houses want to give an additional holiday Government have no objection, but Government do not want to compel business houses to close their offices on the first Puja day.

**Babu NAGENDRA NATH SEN:** What is the principle on which the Government notification for closing offices and courts was made?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I do not know except that it has been the practice since 1890.

**Babu NAGENDRA NATH SEN:** Is the Hon'ble Minister prepared to admit that it will cause hardship to the Hindus if an additional holiday for the 11th of October is not granted?

**The Hon'ble Mr. NALINI RANJAN SARKER:** Yes, to a certain section of the employees in the Calcutta business houses.

## UNSTARRED QUESTIONS.

(to which answers were laid on the table)

## Grants-in-aid to schools.

**43. Maulvi ABDUL BARI:** (a) Is the Hon'ble Minister in charge of the Education Department aware—

- (i) of a circular recently issued by the Director of Public Instruction, Bengal, to the effect that grants-in-aid to schools be given twice a year and not monthly as before; and
- (ii) of a feeling of discontent that exists amongst teachers and others interested in education?

(b) Do the Government realise that the above course will put the teachers to series of difficulties adversely affecting the educational institutions themselves?

(c) Is the Hon'ble Minister proposing cancellation of the order with a view to follow the previous practice?

**MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** (a) The order was issued by the previous Government, but I have stopped giving effect to it in view of the feeling referred to.

(b) and (c) The question of revision of the orders is under consideration.

## House Surgeon, Bengal Veterinary College.

**44. Mrs. HASINA MURSHED:** (a) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether it is a fact—

- (i) that the post of House Surgeon in the Bengal Veterinary College was filled by a brother of the Manager;
- (ii) that the Drill Master is also a brother of the Manager; and
- (iii) that there was a Muhammadan officer senior to the gentlemen appointed as House Surgeon?

(b) If the answer to (a) (iii) is in the affirmative, will the Hon'ble Minister be pleased to state whether the claim of the Muhammadan officer was considered in filling up the post of the House Surgeon?

**MINISTER in charge of AGRICULTURE and INDUSTRIES  
DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of**

**Dacca):** (a) (i) The question appears to assume that there is only one post of "House Surgeon" at the Bengal Veterinary College. This is not correct. There are, in fact, 3 posts of Hospital Surgeon—2 senior and 1 junior. There is no post of House Surgeon. On the 1st July, 1930, a brother of the Manager was appointed to the post of Junior Hospital Surgeon.

(ii) Yes.

(iii) There was, at the time of the appointment referred to in (i) above, a Moslem officer in the College staff senior to the gentleman appointed as Junior Hospital Surgeon. He was holding the post of Curator and Librarian which is a post in the same grade as that of Junior Hospital Surgeon. It is presumed that the question refers to this Moslem officer.

(b) From the records I find that the appointment of the officer referred to in (a) (i) was discussed at considerable length at the time and that several officers already serving in the department for a number of years submitted memorials against the appointment of the gentleman concerned. After consideration, the appointment was approved by Government.

I do not find in these discussions any mention of the name of the Moslem officer referred to in (a) (iii). I can only conclude that he was not considered to be a suitable candidate for the post by the authorities at that time.

**Maulvi ABDUL LATIF BISWAS:** Is it a fact that the appointment of the Junior Hospital Surgeon was made on the recommendation of the Manager who is his brother?

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:** I have already stated from the records available that the recommendation of the Principal was accepted by Government then in power.

**Maulvi ABDUL LATIF BISWAS:** Was it made on the recommendation of his brother who is the Manager of the College?

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:** That I cannot say.

**Khan Sahib Maulvi SYED MUHAMMAD AFZAL:** May I know whether the Moslem officer is still holding his appointment?

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:**  
I want notice.

**Maulvi TAMIZUDDIN KHAN:** Has the Manager any other brother marked out for appointment in the Veterinary College?

(No answer.)

#### **Road from Diamond Harbour to Kakdwip.**

**45. Mr. ANUKUL CHANDRA DAS:** (a) Is the Hon'ble Minister in charge of the Communications and Works Department aware of a resolution of the Board of Communications, dated the 7th July, 1926, accepting the proposal of Mr. King, Chief Engineer, for having an improved road from Diamond Harbour to Kakdwip?

(b) If so, has it been included in the provincial programme of schemes and submitted to the Local Government for sanction?

(c) If the answer to (b) is in the affirmative, will the Hon'ble Minister be pleased to state—

(i) when the work will be taken up; and

(ii) how much will it cost?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**  
(a) Yes.

(b) On the advice of the Provincial Board of Communications, the Special Officer, Road Development Projects, has been asked to include the project in his comprehensive programme of road development for the whole province, which has not yet been received.

(c) Does not arise at present.

**Mr. ANUKUL CHANDRA DAS:** Will the Hon'ble Minister give us an idea of the period which will be taken to complete the road project from Diamond Harbour to Kakdwip?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**  
I am afraid I cannot give any idea at this stage.

#### **Establishment of Debt Settlement Boards.**

**46. Mr. AMRITA LAL MANDAL:** Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(i) the names of the districts in which Debt Settlement Boards have been established;

- (ii) the total number of cases originally referred to these Boards by the parties concerned;
- (iii) the total number of cases transferred from Civil Courts to these Boards; and
- (iv) the number of such cases disposed of by them during the last year of their existence?

**MINISTER in charge of CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick):** (i) Jalpaiguri, Dinajpur, Malda, Rangpur, Rajshahi, Pabna, Bogra, Mymensingh, Jhalda, Faridpur, Bakarganj, Tippera, Noakhali, Chittagong, Khulna, Jessore, 24 Parganas, Midnapore, Howrah and Hooghly.

(ii) 58,315 up to the 30th of April last.

(iii) Nil.

(iv) No Debt Settlement Board has yet been sitting for one year.

**Maulvi ABUL HASHIM:** May we have the reason why Debt Settlement Boards have not yet been established in Burdwan?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** We have now received proposals from the Collector of Burdwan for the establishment of such Boards there.

**Mr. DHIRENDRA NATH DATTA:** May I know the number of cases disposed of by Debt Settlement Boards during the period they have been sitting?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I must ask for notice.

(At this stage Mr. Mirza Abdul Hafiz put a question which was answered by the Hon'ble Mr. Mukunda Behary Mullick but both the question and the answer were inaudible at the Reporters' Table.)

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I could not hear the question.

**Mr. JOGESH CHANDRA GUPTA:** May I with your permission ask the questioner as also the Hon'ble Minister to be a little more loud so that we can hear?

**Mr. SPEAKER:** That is a request for action. (Laughter from all sides.)

**Road from Tangail to Mymensingh.**

**47. Maulvi MIRZA ABDUL HAFIZ:** (a) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether the road from Tangail to Mymensingh has been taken up for its necessary improvement on the recommendation of the Road Development Board?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state—

(i) when has it been taken up; and

(ii) when is the work to be completed?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**

(a) Yes. So far the improvement and construction of bridges only on the road have been taken up. The Provincial Board of Communications have very recently approved of a project for improving the road proper between Muktagacha and Tangail at a rough cost of Rs. 8.25 lakhs, but work cannot be taken up until this project is approved by the Government of India and until the detailed estimate is prepared and sanctioned by the Bengal Government.

(b) The improvement and construction of bridges on the portion of the road between Mymensingh and Kalihati was taken up in 1933 and completed in 1936. Bricks are being collected for improvement and construction of bridges on the remaining portion between Kalihati and Tangail. The bridging work on this portion of the road is expected to be completed by the end of 1939.

**Dr. NALINAKSHA SANYAL:** When will the other work apart from the improvement and construction of Bridges on this road be taken up?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I regret I cannot give an idea.

**Dr. NALINAKSHA SANYAL:** With regard to answer (b), will the Hon'ble Minister be pleased to state the reason for the inordinate delay in finishing this project?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I do not consider the delay to be inordinate.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister aware that his department has not given technical sanction to this project so far?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** As far as I am aware the District Board was in charge of this portion of the road.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state whether, even when a District Board is in charge of a particular Public Works Department road, technical sanction is or is not necessary?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** It is necessary.

**Dr. NALINAKSHA SANYAL:** Under such circumstances has technical sanction of the department been given to the District Board project.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I require notice.

**Number of Muslims in the different posts in the Calcutta High Court.**

**48. Mr. SHAH SYED GOLAM SARWAR HOSAINI:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state—

- (i) the present number of Muslims in different posts in the Calcutta High Court below those of the Hon'ble Judges; and
- (ii) the relative strength of the Muslims compared with persons of other communities?

**MINISTER in charge of JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur):** By the courtesy of the High Court which has supplied the figures, a statement is laid on the table.

*Statement referred to in the answer to unstarred question No. 48.*

*Strength of Muslim officers on the Appellate Side in July, 1931.*—There was one Muslim gazetted officer out of a total strength of 5. The percentage was 20·00.

There were 35 permanent and one temporary Muslim ministerial officers out of a total strength of 192 and 18, respectively. Their percentages were 18·22 and 5·55, respectively.

*Strength of Muslim officers on the Appellate Side in July, 1937.*—There is one Muslim gazetted officer out of a total strength of 6 (including the Registrar). The percentage is 16·6. The sixth post of gazetted officer created since 1935 is ordinarily filled by a member of the Bengal Judicial Service.

There are 46 permanent and 3 temporary Muslim ministerial officers out of a total strength of 203 and 20, respectively. Their percentages are 22·66 and 15·00, respectively.

*Strength of Muslim officers on the Original Side in 1931.*—There was one Muslim gazetted officer out of a total strength of 13. The percentage was 7·7.

There were 6 Muslims out of a total strength of 148 in the ministerial establishment. The percentage was 4·00.

*Strength of Muslim officers on the Original Side in 1937.*—There is one Muslim gazetted officer out of a total strength of 13. The percentage is 7·7.

There are 10 Muslim ministerial officers out of a total strength of 150. The percentage is 6·7.

**Khan Sahib Maulvi SYED MUHAMMAD AFZAL:** Is the Government contemplating to redress the grievances of Muslims by raising the percentage?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN Khan Bahadur:** Government has no power to redress the grievances.

**A Member:** Can he exercise his influence in the matter?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** Yes.

**Mr. SANTOSH KUMAR BASU:** May I know whether my short-notice question will be answered to-day?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I may inform the Member that the information that he requires is not available but I hope I shall be able to answer the question to-morrow.

**Dr. NALINAKSHA SANYAL:** On a point of information, Sir. It is the Parliamentary practice that if short-notice questions are not replied to or are taken up with inordinate delay we on our part may be permitted to move an adjournment of the House. If you will permit us we will be prepared to move it.

**Mr. SPEAKER:** When you actually hand over to me any motion for adjournment, I shall then see to the point.

**Al-Haj Maulana Dr. SANAUDDIN:** May I know what is the fate of my short-notice question in regard to the flood havoc in the district of Chittagong?

**Mr. SPEAKER:** I have already stated on several occasions that in regard to short-notice questions the Speaker's function only comes in if the consent of the Department concerned and the reply thereto are received. I may say once more that as soon as the reply is received in our department it is typed and placed on the Table. I appeal to the House that its time should not be wasted by enquiry about short-notice questions. If an enquiry is to be made it should be made from the Secretary as to whether a short-notice question will be answered or not.

## THE BUDGET OF THE GOVERNMENT OF BENGAL. FOR 1937-38.

### DEMAND FOR GRANT.

#### 37—Education—General.

**Begum FARHAT BANO KHANAM:** Mr. Speaker, Sir, I beg to move that the demand of Rs. 1,17,40,000 be reduced by Rs. 100.

I rise to move a token cut in the grant for Education Department in order to draw the attention of the Hon'ble the Minister for Education to the paramount needs for women's education in Bengal. Although after a sad and almost criminal neglect for a long period the Government and the public are slowly realising their responsibility in this matter, I feel bound to observe that even now the subject has not received the attention it deserves. No serious attempts has yet been made to grapple with the real problem of women's education in Bengal. It is too late in the day to repeat the trite observations about the necessity of women's education and the part it plays in the social and economic uplift of the country. The social obstacles for the promotion of women's education are fast passing away, and women are rapidly advancing to take their legitimate place by the side of men in the constructive work that lies before the country. Their cry is for education and more education and the lack of provision for such education is hampering the natural process of growth. Women's education is even now viewed as merely an unimportant side-issue in the general scheme of education. Instead of tackling the problem as a whole, only niggardly provisions are made here and there just to keep up a show of women's education. The grant provided in this year's budget would prove the truth of my assertion. I do not make this criticism in a carping or hostile spirit; but when I remember the appalling ignorance of millions of women in this country, I feel it my bounden duty to raise a voice of protest, however feeble it may be. Nothing but inertia of habits has made us insensible to the gravity of the situation but I am sure a little reflection will convince everybody that time has come

when we must approach the problem from an altogether new angle. It is in the hope of focussing attention to this live issue that I have proposed the cut. 'May I appeal to the Chief Minister, who is also the Minister for Education, to regard women's education as a major problem, and not merely an appendix to the vast and complex problem of education of the province?

I am glad to notice that the Central Board of Education at Delhi took up the problem of women education in India. May I trust that the Government of Bengal would devote themselves to the recommendations of the Women's Committee of the Central Board and take some definite and tangible steps for spreading more education among women? I trust we shall not be seeing the spectacle of women education getting only a residuary place after needs of men's education have been finished. That will be a tragic end not only for the women but for men also. May I draw the special attention of the Government also to the immediate needs for the improvement of the physical education among girls. Considering the average circumstances of women in Bengal families, where they can get hardly any fresh air, the need for physical education for girls is imperative. It is sad to see that in spite of large numbers of girls going up for education, the condition of their health is very very poor. I urge on behalf of women of Bengal that there should at least be a Directress of Physical Education to take up the work in right earnest. I am informed that the proposal for such a post was sanctioned six years ago, but no definite step has yet been taken in the matter. A college for the training of men teachers has been in existence for some time past, but nothing has been done by Government for the training of women teachers. There is no training college in physical education open to women teachers and men and women of Bengal have to be grateful to the Young Women's Christian Association for starting physical training centre for girl teachers. But all the funds for this come from Canada and even that, as I understand, will be exhausted by April, 1938. Teachers from other provinces have been deputed to this college by their respective Governments and although the college is situated in Calcutta, the Government of Bengal have neither deputed any women teacher for training nor they have given any financial assistance, and it would be a calamity if such a useful institution is closed for want of funds within the next few months. I earnestly urge upon the Hon'ble the Chief Minister for taking over this college by Government.

Incidentally, I very strongly emphasise the need for provision for the Muslim girls college education in Calcutta. The Bethune College has no provision for teaching Arabic and Persian nor there is a Muslim hostel. It is time therefore for the Government to take some definite steps so that the Muslim girl students may have the advantage of higher education. It is a matter of gratification that more Muslim

girls are now coming for higher education, and I trust and hope that Government would rise to the needs of the occasion and take necessary steps in the matter.

In conclusion, may I once more appeal to the Hon'ble Minister for Education to see to it that a complete and comprehensive scheme for women's education is devised by his department and that adequate funds are provided in future budget to give effect to this scheme.

**Miss MIRA DATTAGUPTA:** Sir, I doubt not that the object of my motion, namely, better provision for girls' education and girls' hostels has the sympathy and support of all sections of the House, irrespective of community and faith. I do not think any argument is necessary in these days to convince anybody that girls should have as good education as boys to qualify themselves to be good citizens. My friend, Begum Farhat Bano Khanam, has very ably drawn the attention of the House to the inadequacy of educational facilities for women of her community.

The number of schools and colleges for girls in the city of Calcutta and the suburbs must not be taken to be any indication of the general extension of education amongst the womenfolk in the province. In the mufassal, arrangements for female education are still very meagre and in many places within a radius of 20 miles you will not find any high school for girls. If my information is correct, there is only one high school for girls in the whole of the Burdwan Division recognised by the Calcutta University, and the school which is situated at Howrah has also not yet been able to get a permanent recurring grant from the Government for what they call "want of funds."

In the interior, I mean the villages, a girls' school is still a rare commodity and it behoves Government with the assistance of public bodies to chalk out a comprehensive programme of starting a net-work of schools for girls so that the womenfolk may get at least some education which may help them in domestic life.

Sir, but there is one other matter which is probably more important than the mere increase of schools. In my preliminary budget speech I drew attention to the inadequacy of accommodation for girl students in the city of Calcutta. This is, Sir, a question which must be tackled without delay. Better facilities for education attract many girls to Calcutta where want of suitable hostels drive them to shelter in unrecognised boarding houses. It is time that Government should step in and make suitable provision for the accommodation of girl students in this city by opening hostels attached to the schools and colleges or assisting the girls' colleges and schools in opening hostels. These hostels should be in charge of respectable ladies who will act as guides. I say, Sir, that the danger of allowing girl students to drift in the city without proper hostel accommodation is much greater than the imaginary danger of allowing students to mix in politics.

Sir, may I not hope that Government will not grudge spending money liberally to extend educational facilities for the womenfolk who comprise half of the population of Bengal.

**Mrs. HASINA MURSHED:** Mr. Speaker, Sir, it is with considerable concern that I rise to speak on the subject of female education in this province—a subject about which much has been said but little has been done.

The need of imparting education to the womenfolk is much too obvious to need any special emphasis from me. I believe that even the most perverted misogynist will not dispute the propriety of giving education to the womenfolk in some shape or other. In support of this proposition I should like to quote the report of the Hartog Committee which is as follows:—

“The importance of the education of girls and women in India at the present moment cannot be over-rated. It affects vitally the range and efficiency of all education. The education of the girl is the education of the mother and through her of her children. The middle and high classes of India have long suffered from the dualism of an educated manhood and an ignorant womanhood—a dualism that lowers the whole level of the home and the domestic life and has its reaction on personal and national character.”

The Committee thus impressed by the supreme importance of girls' education recommended that “in the interests of the advance of the Indian education as a whole, priority should now be given to the claims of girls' education in every scheme of expansion.”

Let us now examine the relevant statistics and see for ourselves the extent of the leeway that Bengal has yet to make up in order that she may find herself in the company of her sister provinces which have taken longer stride in the field of female education. Let us take the total number of girls in all institutions. Madras in 1932 registered an increase of two lakhs three thousand one hundred and eighty-five girls over the figure for the quinquennium ending 1927; while Bengal registered an increase of 1,34,860 girls during the corresponding period. These figures, it is true, are somewhat out of date; but they show, none-the-less, the comparative slowness with which Bengal has proceeded in the direction of female education. Let us now take the expenditure on educational institutions in these provinces. In 1932 Madras spent no less than Rs. 74,22,761, while Bengal in that year accounted for even less than half of this sum. It is unfortunate that this should be so. Let us now examine Government's contribution to girls' education in these two provinces. Madras in 1932 spent Rs. 44,71,091, while Bengal spent a comparatively poor sum of Rs. 18,09,328. This is really very disappointing. We recognise, Sir, the financial difficulties from which our province has long suffered. We also recognise, Sir, that the complexities

of our political problems, differing as they do from those of her sister provinces, have consistently laid a great percentage of her revenue, under contribution. It is therefore not in a spirit of inimical criticism of the Government of this Province that I have ventured to submit before the House the statistics I have just given. On the contrary, Sir, we have the greatest sympathy with the Ministry of Education in the distressing situation in which it finds itself with regard to the question of finance.

With regard to the question of physical education among women, I will quote the authority of no less a person than Huxley to emphasise the importance of physical culture of our girls. Huxley says as follows:—

"granting the alleged defects of women, is it not somewhat absurd to sanction and maintain a system of education which would seem to have been specially contrived to exaggerate all these defects? Naturally not so firmly strong, nor so well balanced as boys, girls are in great measure debarred from the sports and physical exercises which are justly thought absolutely necessary for the development of the vigour of the more favoured sex."

We have every confidence in the present Chief Minister of Bengal who is also the Minister in charge of Education, and we can entirely rely upon him for the redress of the grievances in respect of the inadequacy of funds for the advancement of female education.

With these words, Sir, I beg to support the views of the hon'ble mover of this motion.

**MR. W. C. WORDSWORTH:** Mr. Speaker, Sir, I support this motion generally though I could not associate myself with all what is said. We have had this afternoon an admirable refutation of the old masculine view that woman cannot take an interest in education and yet retain her charm. We have had some admirable speeches and I can promise that the University will take notice of them, for in the absence of the Vice-Chancellor I have been asked to say a word on behalf of the University. I am a little startled to find in motion No. 360, a reference to the indifference of Government towards women's education. I once knew how many heads at Writers' Buildings and at the University have turned grey through worry over the problem of girls' education. It is not that Government is indifferent, nor the University. But the Province's interest in the education of girls in the last few years has developed so rapidly that Government and the University have not been able to change their organisation and their methods rapidly enough to keep step. In the University, I can say as a member of the School Committee, methods have changed perceptibly in the last three or four years. About four years ago the University

agreed that there should be girls' education in 'Boys' schools if arrangements could be made so that boys and girls never saw one another. The consequence was that the girls went to school at six in the morning and left at nine, and the teachers had a long and hard days work. After a while it was realised that this strain on the girls, the schools and the teachers was intolerable. By this time opinion itself had changed, and so the University had to follow something like a local option system in places in which public opinion seemed to think that boys and girls should study together: the University was prepared to agree to co-education, provided that suitable arrangements could be made. We have recently decided that the whole matter must be reconsidered again and a committee has been formed to look into it on behalf of the University. I am a member of that committee and we shall soon be busy. The problem ultimately is this: that opinion in Bengal is pressing rapidly more towards the general education of girls, both secondary and primary education, and yet so far as we can see the revenues of Bengal do not and will not admit of the establishment of two complete satisfactory separate systems of education, one for boys and one for girls. Co-education will be necessary in some degree. Government, local bodies and the University will have to make this possible by contributing to the cost, by altering their organisation; and society in Bengal will have to make it possible also by modifying its opinion in some degree. A great deal of separate education is proper and will always be necessary. I do not suppose Bengal will ever be able to keep boys' and girls' education entirely separate, and I think that before long Bengal will come to the opinion that co-education has everything to recommend it up to certain ages, besides its saving in expense. That is my small contribution to the discussion and I conclude by congratulating the ladies who have spoken.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** The new constitution has made provision for the direct representation of women in our legislatures and I congratulate myself that it has fallen to my lot to be the first to bear the brunt of onslaught on our budget from representatives of the fair sex in matters connected with female education in Bengal. I welcome this opportunity to make a general statement regarding Government policy on the question of female education. In the year 1928-29 Government gave their general approval to a policy of establishing an aided high English school in each district headquarters subject to a local demand for such institutions. This policy has been consistently pursued with the result that in most of the district headquarters high English schools for girls have been established. In saying this, I am not contradicting the remarks of Miss Datta-Gupta regarding the paucity of high English schools for girls in the Burdwan Division. It is regrettable that this fact has got to be admitted and I can assure her that we would take the earliest possible steps to make provision in the next budget for establishing at least two high English

schools at proper centres in the Burdwan Division. Several schemes involving capital and recurring expenditure are under consideration of the department and it is proposed to set apart more than Rs. 60,000 for capital and recurring grants to girls' schools in connection with the restoration of the cut on grant-in-aid allotments. In the field of secondary education for girls, our ideal is a system of good, well-equipped and well-stuffed high English school at convenient centres with first class hostels attached to them and around each school a secondary satellite system of middle schools providing a sound education up to class VI with one or two years' continuous courses of home craft and domestic science. This course would be primarily adopted to girls not wishing to proceed further with purely academic studies or in the case of girls judged incapable of profiting by such studies. Others will have to go to parent high schools. It is, of course, impossible to lay down an arbitrary standard of "frequency" of these secondary schools, but it will probably be found convenient for the present, and for mufassal areas, to follow a general principle that each district should have one first class high school and each subdivision one first class middle school. Such schools will generally be at district or subdivisional headquarters, but, obviously, no rigid rule can be laid down. For thickly populated urban areas these standards will not apply, and the needs of such areas must be judged independently.

As regards college education of girls, a lump provision of Rs. 10,000 is included in this budget for maintenance grants to non-Government women's colleges. This grant will be distributed to the following institutions:—

- (1) Ashutosh College, Bhowanipur (Girls' section);
- (2) Victoria Institution, Calcutta (College branch); and
- (3) Brajamohan College (Girls' section).

The question of extension of accommodation in the Bethune College and of providing new buildings for the Eden High School (Intermediate College) are under the consideration of Government. (A VOICE: What about girls' hostels?) I wish to say a few words in this connection regarding the question of a Muslim Girls' College in Calcutta. I have received representations from various quarters for the establishment of such a college for the simple reason that provisions for the teaching of Arabic and Persian and for religious training that is exclusively needed by the orthodox Muslim families cannot be provided for in the Bethune College. Along with the Bethune College, a College especially for Muslims girls seems to be a necessity, and I may tell the House that a scheme for the establishment of a college and a hostel in Calcutta for Muslim girls is being matured, and provision will be made for it in the next budget, viz., for 1938-39.

There is a scheme for providing accommodation for 200 girls at the Vernacular Training School at Dacca for the training of elementary

women teachers and attaching a practising school to it. This proposal is being considered by the Director of Public Instruction. Certain training stipends have also been suggested for women teachers. A scheme for providing some special stipends to girls of the scheduled castes involving an annual cost of Rs. 4,560 has been administratively approved by Government this year. A scheme for creating some scholarships for Muslim girls involving an annual expenditure of Rs. 3,240 has been accepted by Government for the present budget. Government are aware that one of the items in Dr. Jenkins's programme of work as a Special Officer was a survey of girls' education in Bengal and its needs. He has collected all the necessary materials but could not complete his report before he went on leave. As soon as his report is received, I can assure the House that we will set to work to bring into operation the urgent portions in that report, and I hope it will be possible for me to announce when we meet next that some substantial steps forward have been taken for the improvement of female education in Bengal. Another point raised has been the question of physical education of girls. On this point I wish to make a very short statement. Physical education of girls in schools is now looked after by the Physical Directress of the Young Women's Christian Association for which the Association receives a grant of Rs. 2,700 every year from Government. Government in a letter, dated the 24th of April, 1931, accorded their approval to a scheme for the development of physical training under the supervision of an Assistant Directress appointed by Government. The estimated cost was Rs. 34,349, but it was not found possible to provide funds for it in this year's budget on account of other more urgent needs of the province. In the meantime, to improve the standard of physical education of women teachers in Bengal, Miss Burton, the Physical Directress of the Young Women's Christian Association, Calcutta, temporarily opened a physical centre under her supervision. Government are making an attempt to provide funds in the Education budget for stipends to women teachers for training there to make the scheme a permanent one. I can assure the House, Sir, that the earliest opportunity will be taken to provide funds for both.

**Mr. NAGENDRA NATH SEN:** May I rise on a point of information, Sir?

**Mr. JOGESH CHANDRA GUPTA:** The leader of the House has not finished yet.

**Mr. NAGENDRA NATH SEN:** Oh, I am sorry.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** In connection with the establishment of schools for the education of girls, I need hardly say that in this matter, as in others, a good deal depends on the co-operation offered by non-officials to

Government in their own departmental efforts. I may mention with approval the efforts that are being made by Mr. Ishaque of the Indian Civil Service, Subdivisional Officer of Serajganj, who has started a high English girls' school at Serajganj, and the construction of a school building is now in progress. The estimated cost is Rs. 35,000, and the Subdivisional Officer has collected a big sum and has asked Rs. 15,000 from Government. This shows that whether we are Subdivisional Officers or other officials or non-officials, a good deal can be done by private effort, and Government would only be too ready and willing to supplement private enterprise by whatever help can be given by subventions from provincial funds. I have not got anything further to say, Sir. The Begum Saheba said that she had raised only a feeble word of protest as regards Government's apathy towards female education. But I may assure her, Sir, that her protest is not a feeble one; it has come to us as the voice of many voters, and I am sure that before we meet again for the next budget we shall be able to show that we have not been negligent in making provision for the education of girls—secondary as well as collegiate.

I hope, Sir, that the statement I have made will satisfy the mover and that she will not press the motion to a division.

**Mr. JOGESH CHANDRA GUPTA:** What about the Kamarunnessa Girls' School in Dacca?

**Mr. SPEAKER:** I think members who wish to put any questions by way of information may do so now, so that the Hon'ble the Education Minister may make one consolidated reply.

**Mr. NAGENDRA NATH SEN:** The Hon'ble the Minister for Education while explaining his department's policy as regards female education has not outlined Government's attitude towards co-education. I should be glad to know Government's attitude with regard to that matter, and whether the Hon'ble the Chief Minister is alive to the dangers of co-education and whether better and ampler provision would be made in the budget for the spread of women's education.

**Maulvi TAMIZUDDIN KHAN:** Sir, this is a very important question, and the whole House should consider it.

**Mr. SPEAKER:** This is a very big issue, and it should be raised when secondary education is discussed.

**Mr. SANTOSH KUMAR BASU:** But Mr. Wordsworth has already raised it.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** As regards the Kamarunnessa Girls' School, I had an opportunity of visiting this institution the other day when I was at Dacca. It is a very deserving

institution and certainly it requires help. I have asked the authorities of this institution to submit a detailed scheme as to the help they require, both recurring and non-recurring, and I have promised them that the matter will receive our consideration. But in view of the fact that the demands for expansion of girls' education in Dacca itself are very great, I could not make anything like a definite promise. I can assure my honourable friend Mr. J. C. Gupta that when the budget is prepared next, if he is ready to give us any practical suggestions as to what should be done, I shall be only too ready to accede to his wishes and make whatever provision is possible for helping that very useful institution."

**Begum FARHAT BANO KHANAM:** Sir, in view of the assurance given by the Hon'ble the Education Minister, I beg leave of the House to withdraw the motion.

The motion was by leave of the House withdrawn.

**Mr. SPEAKER:** I would now request the member of the scheduled caste community to move his motion, which is No. 317. Mr. Shyama Prosad Barman will please move his motion now.

**Maulvi TAMIZUDDIN KHAN:** May I point out, Sir, that it is time that we adjourned for prayer?

**Mr. SPEAKER:** Oh, I am sorry. The House now stands adjourned for 15 minutes.

At this stage the House was adjourned for 15 minutes.

*(After adjournment.)*

**Mr. SARAT CHANDRA BOSE:** May I have your permission to make a short statement? It won't take more than two minutes. I have been informed, and as far as confirmation is possible from non-official sources it has been confirmed, that one of the Andamans prisoners on hunger strike of the name of Sudhendu Dam is dead. For the last two or three days I have tried to obtain confirmation from the Treasury Benches, but I have not succeeded. As far as my information goes, the news is correct. On receipt of the sad news I decided to withdraw my party from this House for the day. It is impossible—I say so Mr. Speaker in all seriousness—after the receipt of this sad news to continue our work in this House this afternoon. We withdraw from this House as a protest against the attitude of the Government of Bengal towards what we consider the reasonable demands of the prisoners. We withdraw from this House as a protest against their callous indifference towards human lives. I cannot trust myself to say anything more at present. I am prepared to reconsider my decision if the Hon'ble Chief Minister or the Home Minister here and now contradicts the news that Sudhendu Dam is dead.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** The Hon'ble Home Minister is not here. But I may say that I have also heard a rumour to this effect. I may tell the House that I have already sent a very urgent message to the Chief Commissioner in the Andamans in order to get an authentic news. More than this at the present I cannot say and I would ask my friend to reconsider his decision at the present moment, because I have done what I could possibly have done in the circumstances. I only hope and sincerely hope that this rumour is not founded on facts.

**Mr. SARAT CHANDRA BOSE:** The statement of the Hon'ble Chief Minister to my mind practically confirms the sad news which I have received.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have not confirmed the death news.

**Mr. SARAT CHANDRA BOSE:** I may assure you, Sir, that we mean no disrespect or discourtesy to the Chair. But we cannot continue to be here this afternoon. After the attitude of the Government of Bengal towards the Andamans prisoners we cannot but withdraw from the House.

**Mr. SPEAKER:** One moment Mr. Bose. I hope you will realise that this is our budget session. If it were not for the budget proceedings I would have in view of the absence of the Opposition, considered whether the House should be adjourned or not. Having regard to the fact that for the budget discussion we have a fixed time-table I hope you will kindly realise that I have to continue the sitting.

**Mr. SARAT CHANDRA BOSE:** We appreciate your difficulty, Sir.

(The Congress Party then withdrew from the Chamber.)

**Babu SHYAMA PRASAD BARMAN:** I beg to move that a sum of Rs. 1,17,40,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100.

The member spoke in Bengali in support of his motion.

**Mr. ABDUR RAHAMAN SIDDIQI:** Sir, before the debate proceeds further could I beg of you to induce the Hon'ble Minister in charge to declare his policy on each motion at bit earlier in the debate, because if there are points in that policy which the House wishes to discuss it is debarred because the Hon'ble Minister in charge generally, as I see, puts the lid over the discussion. If I am wrong according to the constitutional practice you will perhaps correct me.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I have listened with great attention to the speech delivered by my friend Mr. Shyama Prosad Barman and I wish to assure him at the very outset that the question of giving special facilities to the scheduled castes will be one of the primary concerns of this Government (hear, hear). I will just tell the House what little we have been able to do and what we propose to do in future. I may tell my friends of the scheduled castes that I propose to discuss with them their special needs and requirements and take their suggestion before we make provision in the budget. I will give them the fullest opportunity to let Government know what they specially require and I hope with their friendly cooperation I will be able to frame a budget which will be acceptable to every member of the scheduled castes in this House. There is already a budget provision of Rs. 21,000 for giving special scholarships to scheduled caste students. The following new provisions have also been made in the current year's budget:—

The Bengal Engineering College—two scholarships of the annual value of Rs. 240 each tenable for one year:

Two scholarships of the annual value of Rs. 200 each tenable for one year:

The Ahsanullah School of Engineering—two scholarships in addition to the existing three scholarships of the value of Rs 10 per month each tenable for two years:

In the Government School of Arts we have provided for two scholarships of the value of Rs. 7-8 each tenable for four years.

The scheme for special stipends for girls of the scheduled castes involving an annual cost of Rs. 4,000 has just been administratively approved and is awaiting provision of funds. We are starting a hostel for the scheduled caste students of the Rajendra Memorial College of Faridpur involving a recurring expenditure of Rs. 640 and funds have been provided in the budget for the current year. In Government aided schools, students of the scheduled castes will get free studentship up to 15 per cent. of their enrolment as in the case of Moslem students. We have placed the Moslem and the scheduled castes on an equal footing. In Government colleges other than the Presidency and the Sanskrit Colleges the students of the scheduled castes will get free studentship up to 5 per cent. of their enrolment subject to the minimum of two students, and three seats in each of the Training Colleges at Dacca and Calcutta have been specially reserved for the students of the scheduled castes. I admit, Sir, that we have not been able to do perhaps all that my friends desire but I can assure them, as I have already said, that if in the past Government has failed to come up to expectations of the scheduled castes there is no reason to apprehend that in the future there will be lack in that constant effort which is necessary

to bring up the students of the scheduled castes on the level with the students of the other communities. Once more let me repeat that in framing the budget I will take the members of the scheduled castes completely into my confidence and they will be at liberty to make whatever suggestions they may think proper and necessary for the advancement of the students of their community.

**Babu SHYAMA PRASAD BARMAN:** Sir, in view of the assurance given by the Hon'ble Minister I beg leave of the House to withdraw my motion.

The motion moved by Babu Shyama Prasad Barman was then by leave of the House withdrawn.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, in view of the statement made by Mr. Sarat Chandra Bose may I make a statement? Sir, Government have received a telegram from the Andamans handed in at 12-30 noon to-day in which no deaths are reported, but there are only three in the "seriously ill" list.

**Mr. M. SHAMSUDDIN AHMED:** So far as the three "seriously ill" list is concerned, we found this in the newspaper of this morning also. Did not the Hon'ble Minister get any further information thereafter?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** The telegram was received at 12-30 to-day.

(Mr. Monmohan Das was going to move his motion No. 368.)

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, before my friend begins if you will kindly permit I wish to make a short statement regarding the reservation of seats in the Guru Training Schools which won't take more than a few minutes.

As regards the necessity for reserving seats in the Guru Training Schools for the students belonging to the scheduled castes, there was a similar motion for reduction in the budget for the year 1932. The motion was moved by Babu Lalit Chandra Bal, Babu Sarat Chandra Bal and Rai Sahib Rebati Mohan Sarkar. The reply that was given by Government was this: "No complaint of any disadvantage on the part of the scheduled castes in getting admission into the Guru Training Schools has been received by the Education Department. When any such complaint is received the Department will give it its most sympathetic consideration."

So far as this Government is concerned, Government will be prepared to consider the question of reservation of more seats for the students of the scheduled castes in such Guru Training Schools as are located in areas largely inhabited by members of the scheduled community. If the members of the scheduled community can bring to my

notice any specific instance of disadvantage that has been felt, I will discuss the matter with them and will try to remove the inconvenience as early as possible.

**Maulvi MD. MOZAMMEL HUQ:** I beg to move that the demand of Rs. 1,17,40,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100.

(The member spoke in Bengali in support of the motion.)

**Maulana MD. MANIRUZZAMAN ISLAMABADI:** Spoke in Bengali in support of this motion, of which the following is an English translation: Sir, I beg to move that the demand of Rs. 1,17,40,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100.

Mr. Speaker, Sir, there are three kinds of Madrasas in Bengal, viz., (1) Old Scheme Madrasa, (2) New Scheme Madrasa, and (3) Old Scheme National Madrasa. New Scheme Madrasas are affiliated to the Board of Examination, Dacca. These Madrasas receive small amounts of grant-in-aid from the Department of Education. Monthly expenditure for a junior Madrasa is Rs. 130. But only Rs. 40 or 50 are given by way of grant-in-aid. More money should be provided for them.

Old Scheme Madrasas are affiliated to the Board of Madrasa Examination, Calcutta. These Madrasas are allowed to hold examinations under the said Board but they receive no grant-in-aid from the Department of Education. This is a great injustice. These Old Madrasas have produced *Alems* who still exercise considerable spiritual influence on Moslems. Education not connected with religion has no value whatever. The irreligious and unethical education that is being imparted through modern Universities has been responsible for the steady rise of scepticism. Peace is being undermined in the country. It is through the medium of education like this that the cult of Bolshevism is disseminated. There is no gainsaying that religious training is absolutely indispensable. But it is a matter of regret that the Education Department is quite indifferent to these Old Scheme Madrasas. No Madrasa except Madrasa Alia and the Phurphura Madrasa receive any grant-in-aid from the Education Department. Nevertheless, the aforesaid Madrasas have been showing satisfactory results in the examination held under the Board of Education which has been formed by the Education Department. What is the cause of this uncharitable attitude towards these Madrasas?

Among the Old Scheme Madrasas, there is another kind of Madrasa which is not affiliated to the Board of Madrasa Examination, Calcutta. It will make for great good of the community if provision can be made to subsidise these institutions which have no connection with the Department of Education. If the Department of Education mind it, they can

convert the Old Scheme Madrasas into vocational institutions by opening Unani Medical Classes in them. The Government of Bengal's niggardliness towards the Education Department is without any parallel. The Government of Madras spends Rs. 2,52,29,800 annually for Education; the United Provinces Government has an expenditure of Rs. 2,06,85,335 to make annually on account of Education; the Bombay Government's education budget shows an earmarked amount of Rs. 1,60,68,000; the Punjab Government assigns Rs. 1,60,00,000 for Education, while the Bengal Government incurs an expenditure of Rs. 1,26,38,000 only for Education.

**Maulana MD. ABDUL AZIZ:** Spoke in Bengali.

**Mr. IDRIS AHMED MIA:** Spoke in Bengali of which the following is an English translation:—

Mr. Speaker, I want to discuss a few things touching the supervision of education in New Scheme Madrasas. Notwithstanding a set of rules formally drawn up by the Department of Education, it is not possible in the practical field to spot out the authority having charge of the New Scheme Madrasas and to find out the rules governing these institutions. Viewed from outside, one comes across such ~~fa~~ salaried officers as the Assistant Director for Muhammadan Education, Assistant Inspector, Chairman of the Dacca Board, Secretary, etc., who are responsible for the supervision of Moslem Education but it is hard to believe that they do anything personally. Instead of attributing to these officers designations like Assistant Director, Assistant Inspector, etc., for Muhammadan Education, it will be quite to the point if they are called Moslem officers for education. I am just briefly relating to you a true incident regarding the authority, if any, wielded by these officers and their sense of right and wrong. If you think over this incident for a moment, you will realize that the officers belonging to the Department of Education are mere puppets in the hands of Executive Officials, especially the District Magistrate. You will further find how those officers, belonging to the Education Department as they do, trample under their feet the so-called rules of the Education Department itself. As a matter of fact, there are no hard and fast rules of the Education Department governing the High Madrasas. It is as well to say that the Dacca Board has got no rules of its own. In the Calcutta University Code there are two sets of rules, viz., the one concerning the grants-in-aid and the other relating to the schools under the University. Nobody cares to exert his brain as to which of these should be followed by the Madrasas, nor does there seem to be anybody who deems it fit to have a separate set of rules for the Madrasas. You will be convinced of the truth of my statement as soon as I relate the incident in question. It is as follows:—Nineteen years ago a young man passed the B.A. Examination with distinction and started a New Scheme Senior Madrasa in his own district. There was no such Madrasa at the time within 10 or 12 miles of the district. On

either side of the Madrasa and within a radius of  $1\frac{1}{2}$  miles from it there were two M. E. schools started by two zamindars of the locality. In view of the prospect of their schools being abolished, the zamindars too could not look upon the Madrasa with favour, not to speak of the other handicaps hampering the working of the Madrasa. As a result of most strenuous exertions on the part of the young founder who laboured day and night for it, the Madrasa flourished quite well and Government aid and sympathy were secured. But along with the daily improvement of the Madrasa the jealousy of a class of persons also grew up. Ultimately there was conspiracy which resulted in the specious halls of the Madrasa being set on fire. Premises, furniture and books worth many hundreds of rupees were burnt to ashes. The opposite party fondly hoped that the Madrasa would die a natural death. But the founder was not to be daunted by it. For long he went on holding his class in the Juma Mosque of the village, in his own and other people's drawing rooms and even under the shadow of trees. In such hard times too the number of scholars instead of decreasing went on increasing for the simple reason that the founder did not work so hard day and night out of any mercenary motive. He was a sort of honorary teacher imbued with the ideal of Mr. Gokhale. In accordance with the Government scale his salary was fixed at Rs. 100 per month, but with their permission he accepted only Rs. 15 or Rs. 20 and devoted the rest to various kinds of works concerning the Madrasa. Of course, this was possible for him simply because he had the means of supporting himself on a moderate scale. Be that as it may, through the grace of God he succeeded in erecting a pucca building for the Madrasa at a cost of Rs. 26,000. Half of this amount was paid by Government, Rs. 5,000 was his own contribution and the rest came from the people in the country. Thus he ran the Madrasa creditably for 14 years and helped several hundreds of poor men's sons to master the three R's. His influence with his countrymen also increased. He became the leader of the Proja movement and a member of the Local Board, the District Board, and other public institutions. As a result of all this the rival party began to encounter difficulties in the way of their illegitimate interests. In a body they searched for and found out the means of teaching a lesson to this Proja leader. A zamindar of the locality having got the opportunity of being intimate with the District Magistrate, they could gratify their desire very early. Labouring under the misapprehension that it would put everything right, if the young man was driven out of the Madrasa, they addressed themselves to this task. Various were the pleas and devices discovered by them. Through the intermediary of the District Magistrate they succeeded in souring the mind of the Divisional Inspector of Schools. Never in the annals of the Madrasa had there been a visit paid by the Inspector. But this time he came to it on inspection. The leader of the opposite party had never paid a single farthing to the funds of the Madrasa. Nonetheless, he found a place among the donors. And although it was unlawful to

demand the membership of the committee by sheer physical force, the Divisional authority confirmed him in the office of the member. Nor was this alone the case, the power of the founder was curtailed in various ways on the pretext of carrying on the management in an amicable and friendly manner. The number of members belonging to the founder's party was reduced and in their place men of the opposite party were appointed members. He who had devoted his heart and soul to the establishment of the Madrasa was ousted from the office of the Chairman and the District Magistrate was appointed chairman in his place. Of course, the motive of all this was to harass the founder who took these curbing designs in good faith and failed to grasp their true significance.

Then began the course of persecution. On certain ridiculously trifling pretexts a requisition was signed to remove the founder from the secretaryship. The leaders of the opposite party, the authority of the M. E. School near the Madrasa who was a pleader and the first teacher of English in the Madrasa who had to his credit many qualities of Mirzafar, signed the requisition. The signature of three persons not being enough for the purpose, the teacher himself signed the name of his elder brother thoroughly well. Relying on this illegal and forged requisition, the founder was removed from the office of the Secretary. Although the forgery was practically proved before the District Magistrate who was also the chairman, it was not accepted by him. In consequence of several bighas of land for sugarcane cultivation having been settled without salami in the name of the elder brother, he deposed that he asked his brother to put down his signature for him. But the fact remained that he himself was able to read and write and was a veteran Munsif thoroughly versed in the art of wielding the pen. The Magistrate himself took down this evidence and impartially gave his verdict on an offence of forgery!

Finding an opportunity of establishing a close connection with the Magistrate, as also, of whispering into his ears, they made allegations at their own sweet will. A charge for no-rent campaign had already been brought against me on the ground of my having advised the tenants not to pay rents. It was proved false upon the investigation made by the police. Next, the gun licence was cancelled. Although he had never before stood in the dock of any civil or criminal court, either as a witness or a plaintiff or an accused, they spared no pains to afford him an opportunity for it this time. Not being satisfied with having him turned out of the Madrasa, an order was served on him under section 107 and two securities of Rs. 400 were demanded on the ground that he had been preventing students from attending the Madrasa. But although they tried their best, nobody agreed to give false evidence. Hence, the proceedings had to be dropped.

Through petitions signed by thousands of men he prayed for redress of those wrongs. These petitions may, most probably, be found even

now among the files of the Department of Education. Our present Prime Minister, the Hon'ble Mr. Fazlul Huq himself, sent a letter to the Divisional Inspector for redressing this wrong. Not only this, but also an All-Bengal Proja Conference was held at Kusthia in Nadia on 1st April 1934 under the presidency of the present Prime Minister and ten or twelve thousand representatives of the tenants attended it. The following resolution was unanimously carried and circulated everywhere:—

A resolution adopted at the All-Bengal Proja Conference—

“Resolved that this conference strongly protests against various wrongful oppressions that are being committed by the antagonists of the Proja movement on the founder and director of the Senior Madrasa, who is a member of the All-Bengal Proja Samity and the organising Secretary of the District Proja Samity, in connection with the Proja *Stva*, the Madrasa and matters related thereto, so as to harass him away from the Proja movement through various pretence and cunning devices. In order to redress the wrong and injustice done to him, this conference draws the attention of the Government, especially, the Director of Public Instruction, Bengal, the Inspector of Schools, and the Commissioner, Rajshahi Division, Secretary, Board of Education, Dacca, the District Magistrate and the Superintendent of Police, Malda.”

Proposed by—Aftabuddin Chaudhury, Dinajpur.

Seconded by—Tamizuddin Khan, B.L., M.L.C., Faridpur.

Unanimously carried.

A. K. Fazlul Huq,

*President.*

Published by—Nazir Ahmed Chaudhury, Assistant Secretary, All-Bengal Proja Samity.

Everything has been done. But far from securing any redress, even an enquiry was not made. And how can this be possible? It was learnt afterwards that all the petitions had gone round the departments and ultimately fallen into the hands of the Divisional Inspector and the Chief Officer of the district. There is no more time to-day to further dwell on the story of oppression. It may be necessary to relate it later. I simply ask you to ponder over the tremendous sacrifice made by one for the dissemination of education in the country and the help given at the instance of another with an opposite interest even by Government officers to commit wrongful oppressions on the former! And the wonder is that they have got promotion to higher offices by committing oppression whereas no trial or enquiry of any sort has been held regarding the oppression committed even to this day and I do not know if it will be held at all. In regard to this the present authorities of the Education Department—

The member having reached the time-limit, resumed his seat.

**MR. SPEAKER:** The Hon'ble Mr. A. K. Fazlul Huq.

(As several members rose to speak Mr. Speaker said as follows.)

**MR. SPEAKER:** I hope you will realize that I have fixed a certain time for the discussion of each item, but if the House continues to discuss this matter of madrasa education till 7-15 p.m., of course I have no objection.

(Two or three Muhammadan members pointed out that as it was a very important matter, more time for its discussion might be allowed.)

**MR. SPEAKER:** I know that. I know that the education problem can be discussed for months, but I have got only a very short time in which I have to see that all the topics are approached and discussed.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Mr. Speaker, Sir, I am free to admit that the question of encouraging madrasa education in Bengal which has been exercising the minds of the leaders of the Muslim community in Bengal has not received that attention which its importance deserves. I am also free to admit that though the madrasa known as old scheme madrasahs have for the last few years been receiving some attention, they have been practically neglected up till three or four years ago.

Sir, having made these remarks, I wish to tell the House very briefly the policy which this Government wish to pursue regarding the whole question of madrasa education in Bengal. But before I do so, I wish to place before the House certain facts which will enable the members to realize that whatever difficulties there may have been in the way of Government in the past, they have been due to circumstances over which we had no control, and these difficulties may have arisen in pursuance of a policy which we may not now approve but which was nevertheless the considered policy of the late Government. The policy governing madrasa education has undergone three important changes since the introduction of the English system of secular education nearly a century ago. At the outset, the policy was to side-track the madrasa system into a water-tight compartment outside the pale of University education in spite of the suggestion for its inclusion therein in the dispatch of 1854. During the year 1871-73, this policy of passive encouragement was changed to one of active support, as a result of which three madrasahs were started at Dacca, Chittagong and Rajshahi.

About the year 1912 the inauguration of a fresh policy was contemplated. The feeling of the Muslim community with regard to the then prevalent system of madrasa education was reflected in the following remarks contained in a Bengal Government Resolution, dated the 31st July, 1914:—

"The leading Muslims of Bengal have repeatedly expressed their desire for a general reform of madrasahs. They hold that the course

of studies pursued therein, whilst not being exclusively secular, should be such as is likely to produce cultured Muslims fit to enter one or other of the careers opened to educated men and to play their part in the various activities which go to make up the public life of modern India."

Thus in accordance with the desire of the Muslim community the reformed system of madrasa education was inaugurated with the avowed object among others of bringing a specifically Islamic education into line with the requirements of the times. This led to the conversion of the majority of the existing old scheme madrasahs into reformed type of madrasahs and the opening of fresh junior and high-madrasahs all over the province. The reform thus inaugurated in 1915 in the system of madrasa education led to the opening of Islamic Intermediate Colleges and to the inclusion of a Department of Islamic Studies in the Dacca University in order to enable the students to take up further studies in the University.

Bearing, however, in mind the demand of the Muhammadan community for real scholars versed in the Islamic lore, the old orthodox course with or without English as an optional subject was retained in the Calcutta Madrasa. The course of studies in the Calcutta Madrasa was revised and title classes were added to this institution. Some scholarships were also created. A scheme for the introduction of Tibb in the Calcutta Madrasa is being matured.

While not absolutely debarring from Government aid the other madrasahs adhering to the orthodox course, it was decided that in future preference should be given to those that would adopt the new reformed course. This policy has recently undergone a change. The old scheme Madrasahs are now being accorded a more liberal treatment. In the present budget there is a provision for a building grant of Rs. 7,000 to an old scheme madrasa, while a scheme for giving capital and recurring grants to another old type madrasahs is being matured.

The allotment for grants-in-aid to madrasahs being inadequate, neither the high nor the junior madrasahs are in receipt of the minimum grants. Government in 1922 agreed to a minimum grant of Rs. 200 a month to a high madrasa, but in view of the financial stringency no money can be provided for the purpose. A scheme for an additional grant of Rs. 17,000 has already been administratively approved and it is expected that a part of the money will be available this year and that steps will be taken to provide the whole of the amount in the next year's budget. A sum of Rs. 2,600 out of Rs. 5,000 administratively approved for grant-in-aid to girls' junior madrasahs has been provided in the budget now before the Assemblies.

As already stated the provision for making grants to junior madrasahs also is admittedly inadequate, for meeting the demand from all the institutions. Till now the financial condition of the province stood in the way of more funds being allotted for the purpose. The question

has now been taken up and a scheme for providing additional funds for grants-in-aid to madrasahs of the reformed type and specially junior madrasahs for boys and girls is being matured.

I can only conclude by saying that after assumption of office as the Education Minister I began to make enquiries regarding the condition of madrasah education in Bengal. I have collected several statistics showing the number of madrasahs both of the reformed type and of the old type and junior madrasahs of both types, the number of students in each institution and the amount of fund which is being received by each madrasah and I propose to go over the whole question with the help of the members of this House who are interested in madrasah education and I sincerely hope that when we frame the next year's budget we will be able to make sufficient provision for the madrasah education both of the old and the reformed type. I may mention to the House that so far as I am concerned I do not personally make any distinction between the two classes of madrasahs. I do feel that the madrasahs of the old type have been deliberately neglected in the past and the time has now come when the madrasahs of the old type should also receive proper recognition at the hands of Government and institutions of both kinds should receive that encouragement which can be given to them for advancement of madrasah education and education of the type which the Muslims want amongst the Muslim community in Bengal.

If there is any other matter on which the House requires any information I shall be only too glad to place that at the disposal of the members.

**Maulvi MD. MOZAMMEL HUQ:** I beg leave to withdraw my motion.

The motion was then by leave of the House withdrawn.

**Dr. H. C. MUKHERJI:** In the absence of the Congress group may I have your leave to move the amendment which stands in the name of Rai Harendra Nath Chaudhuri.

**Mr. SPEAKER:** I think you cannot move an amendment standing in the name of another. But in view of the special circumstances of to-day I am quite prepared to permit you to move a short notice amendment of your own.

**Dr. H. C. MUKHERJI:** Sir, with your permission I beg to move the following short-notice amendment:

That the sum of Rs. 117,40,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100.

The question of secondary education is a very wide one. My only intention is to draw the attention of the Ministry to a particular aspect, namely, the aspect of agricultural education as imparted in secondary schools. We as a community are greatly interested in this question because the majority of us live in rural areas.

The Catholic and Protestant denominations maintain 95 secondary schools of which 33 are High English and 62 Middle English Schools. In accordance with the scheme enunciated by the Education Department, we have agriculture in about half a dozen of these institutions. We are encountering certain difficulties, and I am absolutely certain that similar difficulties are being encountered by other non-Christian secondary schools. My only intention in initiating this discussion is to induce the Minister for Education to appoint a committee to consider the whole matter. With your permission, Sir, I shall try to place before the House a brief account of the way in which this scheme originated. There was in December, 1924, a conference on agricultural education in which among other things the following resolution was passed:

"That it is desirable to reconsider the present curricula of country schools above the primary standard in Bengal so as to introduce the experiment of teaching elementary agriculture combined with practical work in the fields." Immediately after this conference, a committee was appointed of which my friend Mr. Stapleton, the then Principal of the Presidency College, was the President. The committee visited the Punjab and paid special attention to the scheme of Mr. Brayne than whom Punjab had not a better friend and the Committee submitted a report which was accepted with certain minor modifications in 1927. These minor modifications in my humble opinion took away from the scheme much of the virtue it had. The Government resolution said that it had a two-fold aim: first of all to check the rush of students to qualify for higher education from colleges and so forth, and second, it was expected that many of the students after having gained the requisite training would adopt agriculture as their profession. Among the provisions which were arranged were the following: 60 teachers were selected from special schools and they had to undergo a two-years training at the secondary school of agriculture at Ramna, Dacca. As there was not sufficient accommodation for 60 teachers, they were sent in 4 batches of 15 each. Each teacher was getting Rs. 10 per month during the period of training and also Rs. 10 per month so long as he was teaching agriculture. The first batch after obtaining the requisite training started teaching agriculture in certain schools from January, 1930, and the fourth batch from January, 1933. It therefore follows that in December, 1933, there were 60 teachers teaching agriculture in the selected secondary schools.

I shall now examine the operation of the scheme. I tried my best to get this information officially from my old friend the Hon'ble Premier. But I must confess my questions were parried with the legal acumen for which he is so celebrated. The information which I place before the House is drawn from the report of the Director of Public Instruction of Bengal and the successive reports of the Director of Agriculture. I guarantee their accuracy. First of all I find that instead of 60 schools, in 1934 there were 56 schools, in 1935 there were 51 schools and in 1936

there were 49. I am quoting these figures merely to prove that the scheme was not the unqualified success it was expected to be. Under the original scheme, it was understood that out of the 60 teachers who would be sent for training, 10 out of each 15 would be from Middle English Schools and 5 from High English Schools. It therefore follows that when the scheme was in operation, it was expected that 60 to 66 per cent. would be Middle English Schools and 34 to 40 per cent. would be High English Schools teaching agriculture. Actually what do we find? In 1934 out of 56, there were 30 High English Schools and out of 51 schools in 1935 there were 25 High Schools and out of 49 schools teaching agriculture 26 were high schools. That is to say, the percentage of high schools was more than 50 per cent. Here also I submit that the scheme was not an unqualified success.

I shall place before the House another set of facts collected by me regarding the schools teaching agriculture which had either a garden or a farm attached to them. In 1934, according to the report of the Director of Agriculture the total area of garden and farm was 219.4 per acre; in 1935 the acreage came down to 216 and in 1936 the acreage came down to 141.8.

The next thing which I have to place before the House is the appreciation of the progress which had been made by these schools. I find from the Report of the Director of Agriculture that in 1934, 25 per cent. of these schools were working very satisfactorily; 50 per cent. were working satisfactorily and 25 per cent. were working unsatisfactorily. In 1935 the Director of Agriculture says about 31 per cent. were doing excellent work, 25 per cent. were doing good work and about 44 per cent. were doing fair or indifferent work. I come to the next year, Sir, that is to the year 1936. In Part I of the Report of the Director of Agriculture, there is no definite pronouncement but there is one very significant admission to which I would draw the attention of the House. There the Director says that in 6 out of 49 schools, that is approximately 12.5 per cent., there was some profit made by working these gardens and farms.

The original estimated recurring expenditure per year was Rs. 27,000. I know, Sir, that this amount is not a very large sum when compared with the total amount spent on education, but I contend that in a poor country like ours we should not allow the waste of a single pie. I think the scheme as originally framed by Mr. Stapleton was a good scheme, but I also hold that the scheme which is operating at present is badly planned and that the fullest possible advantage is not being taken of it.

Again, Sir, I want to place before the House certain criticisms passed against these schools everyone of which is drawn from Government publications—either the Report of the Director of Public Instruction or the Report of the Director of Agriculture. In one place it is

mentioned that these schools are not doing satisfactory work because the field work has to be done by the students after school hours. They are tired out and probably do not feel strongly the call of the plough. Then, Sir, we are also told that holidays generally coincide with the period when field work has to be done. No attempt has been made to adjust these working days with the holidays. Then again in certain schools when there are vacancies for agricultural teachers, they cannot be promptly filled on account of the insufficient number of people who are or have been trained at the Dacca Farm. These teachers are not the proper type of men. They rarely take part personally but expect their students to do the work in the fields. I have been to the Kowrapukur Agricultural School and have seen with my own eyes the Headmaster Mr. Miller go into knee-deep mud transplanting paddy side by side with his students. Unless we can get hold of this kind of agricultural teachers I contend, Sir, that this scheme can never be a success. The selection of teachers which has been made, I submit, has not been a right selection. Lastly, these teachers are regarded more as teachers of ordinary school subjects, such as English, Mathematics, Geography but never as teachers of Agriculture. If the aim of these schools is primarily to give training in agriculture, then emphasis should be given to the teaching of agriculture and not to that of ordinary school subjects.

I contend, Sir, that teaching agriculture and farming in school gardens is a mistake. According to the scheme every school which desires to teach agriculture gets a capital grant of Rs. 2,000 provided it has a farm which is 5 acres in area. On the other hand, if it has a garden it gets Rs. 500 as capital grant. The garden is half an acre in area. The school with a farm gets a recurring grant of 100 rupees a year for meeting deficits while the school with a garden gets Rs. 20 a year. It necessarily follows that a school with a farm would be more costly to Government than a school with a garden. In reply to one of my unstarred questions the other day the Premier stated that to collect this information would be expensive so far as money and time are concerned. I shall now give him the information which I have gathered. After 39 years' experience as a teacher, I am proud of being not only the teacher of people who now occupy very high positions but also of being the teacher of about 30,000 school masters—I believe information gathered from these sources is reliable. My information is that though this scheme has been in operation for more than six years, not more than 50 students per year as a result of getting this agricultural training stick to the soil and that those who stick to the soil, do it because they cannot help it.

Now, Sir, I appeal to the Hon'ble Premier to appoint a committee to go into the whole question. I am certain that if he looks into the matter himself carefully, he will see that the criticisms, which I have

made are not one-sided that they are not ungenerous. These schools have a two-fold value, which, if carried out, will be of immense benefit to the country: first of all they would give education in the rural areas and if they are properly implemented, they will give training in improved agricultural methods which is so crying a need in this province. I make an appeal to the Premier to agree to my suggestion that he should look into the matter himself and if possible, try to have the whole scheme reviewed in the light of experience already gathered.

**Maulvi ABUL QASEM:** Mr. Speaker, Sir, I wish to speak a few words on this important subject. Although the idea of establishing a Board of Secondary Education had been mooted in the Sadler Commission and the Commission advocated the separation of secondary education from higher stages, the demand for the separation really came from the Moslem community which has been influenced by the expectation that the establishment of a separate board would remove most of their grievances which are now retarding the progress of Moslem education in Bengal. I do not know, Sir, how this Board is going to be constituted. Will the Moslem be satisfied with a Board in which the Moslem membership would be less than 50 per cent.? Sir, I am definitely apprehending that when this Bill will be brought on the floor of the legislature it will be subjected to serious criticism only on this score. It is unfortunate that the task of revising this important Bill could not be entrusted to a representative body. The system of public instruction that has grown up within the last 50 years is subjected to serious criticism because it has failed to provide equal facilities for the education of all communities. Sir, there is no room for extension of Moslem education under the present system and unless this system is given a thorough overhauling, my submission is that it will be impossible for the Moslems to keep pace with the educational progress of the time. The reason why the Government has not been able to exercise any effective control over the development of secondary education is because the Government has had not any well-thought-out policy. Now that the Government has seriously taken up this question I would ask the Government to define its policy in definite terms. I do not want to enter into a general discussion of educational policy but I think it my duty to say a few words as suggestions which the Government might take into consideration. In the first place, the Board of Secondary Education should be a body fairly represented by all communities on population basis, and I think unless 50 per cent. is given to the Moslems I am afraid it will not be acceptable to this side of the House. Secondly, Sir, it should be borne in mind that the professional representation—by professional representation I mean representation of the Education staff—should not be allowed to override popular representation. We should certainly require professional experience but the real decision should always rest with the representatives of the people.

Now, Sir, I must conclude by saying that in this session we have got large amount of hopes and assurances but we hope and trust that in next session we will get something more substantial and more tangible before the Ministers would ask us to give our support to them.

The House was then adjourned for 15 minutes.

*(After Adjournment.)*

**Maulvi TAMIZUDDIN KHAN:** Sir, my hon'ble friend the mover of this motion has dealt with the subject of secondary education from one point of view. I would like to place before the House certain other aspects of this problem. In doing so I shall generally echo the feeling that has been expressed on the floor of this House by my esteemed friend Mr. Abul Quasem. It will be seen that the present system of secondary education is unsatisfactory. The dual control which is exercised upon the secondary schools, namely, control of the University and the control of Government is extremely unsatisfactory. This dual control should be done away with as soon as possible. Again you know, Sir, that the Moslem community as well as the schedule caste communities were awakened to the necessity of the western education only recently. If we look to the distribution of the secondary schools throughout the province, what we find is that in those areas where the Moslem and the schedule caste people preponderate there are very few high and other secondary schools whereas in the areas where other communities, I mean the high caste Hindus, preponderate there is large number of schools. I do not blame any one. I do not blame the high caste communities in Bengal in having schools in their own areas; in fact, most of the private schools are the result of the efforts of the high caste communities and naturally they thought fit to establish these schools where they preponderate. I also give expression to the feelings of gratitude of other communities towards members of high caste communities for establishing these schools although these schools are generally situated in their own areas. Other communities have also greatly benefited from those schools. But there is no gainsaying the fact that the redistribution of these schools is highly necessary. Those areas where there are no schools or there are very few schools should be provided with an adequate number of secondary schools. These are the main things which necessitate the establishment of a Board of Secondary Education. Sir, in answer to a supplementary question the other day the Hon'ble the Chief Minister gave us hope that he expects to be able to introduce legislation for the purpose of establishing a Board of Secondary Education in the next session of the Assembly. I hope this expectation will materialise. In this connection, I would say that I agree with my friend Mr. Abul Quasem in saying that in constituting the expected board of secondary education the claims of all communities should be adequately considered. Some time ago, Sir, a tentative scheme was published in the papers.

It was extremely unsatisfactory from our point of view. If that is the kind of the Board of Secondary Education which we are getting, I think that will never satisfy the Moslem community, and I do not know how far this will satisfy the members of the schedule caste communities. I submit it is too late in the day to relegate the claims of the Moslems and schedule caste people to neglect and indifference any longer. I therefore think that the Hon'ble the Chief Minister and the whole Cabinet will keep this aspect of the question in view in framing their proposals for the establishment of the Board of Secondary Education. Now, Sir, the other day the question of the affiliation of the Sandwip High English School was raised before this House. This is a sore question and I think through inadvertence the Hon'ble the Chief Minister did not give any reply. Sir, if the Moslem community of Sandwip were not law-abiding people, I think they would have thought of rising in revolt against the department in not being able to have their school recognised, in spite of strenuous efforts made during a long period of time. When the Board of Secondary Education is established, questions like this will be successfully tackled by the board, but so far as the Sandwip school is concerned I think something should be done before the Board is established. There is also another question. I do not think Government has yet come to any decision but that also seems to be a very important question, namely, the question of deprovincialisation of Government schools. Of course if this is done—

(The member having reached the time limit, resumed his seat).

**Mr. ABDUR RAHMAN SIDDIQI:** Sir, before the Speaker continues, may I ask the Hon'ble the Chief Minister, through you, to tell us whether any news has come confirming the information given to this House by Mr. Sarat Chandra Bose.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I made enquiries during the recess, and I am glad to inform the House that the information at the disposal of Government shows that the rumour is absolutely groundless.

**Mr. MD. ABUL FAZL:** Sir, I beg to support Dr. H. C. Mukherji. The gentlemen present in the Assembly should realise the pitiable condition of the teachers of the secondary schools and also of primary schools. They have entertained high hopes so that we may to some extent alleviate their conditions. They are all highly-qualified men—some B.A.s and M.A.s—also there are some less qualified men. But how they are looked upon by the Department? People of the same qualifications receive higher salaries, and they are fortunate. The provision that has been made in the budget is totally inadequate to ameliorate the condition of these poor teachers. Government, as we have learned from Hon'ble the Chief Minister and the Finance Minister, are not expected to introduce drastic changes over night. But if they

want to do some service to these people and to the other down trodden people, these drastic changes will have to be made. If any drastic changes are made, it should be made by abolishing the ornamental posts of Commissioners of Divisions, Deputy Director of Agriculture and the Deputy Inspector-Generals of Police. This may be cut down and the money diverted to the nation-building departments like education, agriculture and so forth. But I think the Ministers are now hesitating to take this step, because they did not listen to the amendment of giving them less salaries. Sir, charity must begin at home. Had they received less salary they could have made drastic changes in the budget, and it would be easy for them to make provisions for nation-building departments. Now, the Hon'ble the Chief Minister is hesitating because when they have not accepted a lesser salary, how could they make drastic changes in the department. Sir, I do not know whether these gentlemen realise that these poor teachers of primary and secondary schools are crying for redress, and I believe that their cry would not go in vain. Then again I fully agree with my friend Mr. Tamizuddin Khan with what he said about the dual control of the University and of the Department.

Sir, this has given rise to many difficulties. I know, and as my friend Mr. Abdul Latif Biswas hinted yesterday,—perhaps he also knows—of some schools that have not got recognition from the University for three years. I am sorry to say, Sir, that most of these unrecognized schools have been organized and started by Muhammadans. The scheduled castes too, Sir, suffer from the same disadvantage. It is regrettable that there should be communalism in the University. It looks like that, but I do not know whether it is actually so or not.

Then, again, the treatment of teachers and other people under the control of the University is quite shabby, as they have been shabbily treating the pressmen of the University who submitted a petition to the Registrar of the University to ameliorate their condition, but to which the Registrar paid no heed. As the pressmen have been shabbily treated under the very nose of the Vice-Chancellor of the Calcutta University, so are the teachers also treated shabbily.

Then, I would like to point out another thing. It is that when the public try to set up a secondary school in a particular place, Government do not come forward with proper help. This is particularly the case with regard to the efforts made by Muhammadan and scheduled castes. I would take one specific case, Sir.

(At this stage the member having reached the time-limit, resumed his seat.)

(One or two members rose to address the House.)

**MR. SPEAKER:** I think I shall have to close the debate at 7-15 p.m. Do you want to give an opportunity to the Hon'ble the Chief Minister

to speak or do you want to speak yourselves? That is, however, entirely for you to decide.

(As no one rose to speak, Mr. Speaker called upon the Hon'ble the Chief Minister to speak).

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I must confess that I was not prepared for the speech delivered by my friend Dr. Mookerjee on the basis of statistics which I am not prepared either to accept or to contradict, but I can tell him at the very outset that the motion which he was to have moved related mainly to the policy of grants-in-aid to the schools, and on that point I wish to make the position clear. The previous Government for purposes of facility of audit made a rule that grants-in-aid should be given half-yearly instead of monthly, and as soon as this rule was made known protests came from all quarters. I have stopped giving effect to that rule and the matter is now under the consideration of Government, and I think that some satisfactory solution will be arrived at. There need therefore be no apprehension that the rule will be enforced without sufficient opportunities being given to the public to express their opinion.

As regards the Committee to which my friends has referred, I can tell him that I shall be only too glad to have a Committee provided he can furnish me with the details as to what he really wants me to do, and as regards the terms of reference to the Committee. As soon as information on these points is supplied, I would discuss the matter with him and I shall gladly appoint a Committee on the lines he has suggested.

Turning now to some matters of great importance regarding secondary education in the province, my friend Mr. Abul Quasem and also my friend Maulvi Tamizuddin Khan have referred to the contemplated Board for the control of secondary education. As is well known the idea of having a secondary board of education is not new. The Sadler Commission recommended some institution of this kind, and since then drafts have been prepared, discussed and rejected with the result that no practical results have yet been achieved. When I came into office I found a draft ready which did not satisfy me. That draft had already been sent to the Universities of Calcutta and Dacca, and somehow or other that draft found its way to the Press, and all at once, without satisfying themselves, whether that was the draft which Government intended to produce before the legislature, a certain section of the Press which is always ready to criticise, at once took up the cudgels on behalf of the general public and criticised Government for going to introduce a Bill which they characterised as reactionary. I may mention one particular item to this House, and that is as regards the representation that is proposed to be given to the various interests. In that proposed Bill the representation to be given to the Muslims was only 11 per cent., but even that raised a storm of protest from certain section of the Press as being excessive, and this

afternoon I have heard from some of my friends that nothing less than a representation of 50 per cent. will satisfy the Muslim community. So the House can at once judge the difficulties ahead when this Bill will come before the House for discussion. It is not for me to suggest whether the claims put forward on behalf of the Muslims community or on behalf of the scheduled castes, or on behalf of any other community are justified or not. That will be for the House to consider and decide, but I can well foresee that whatever the draft Bill may be, it will not have an easy passage through this House. Therefore, it is all the more necessary that the draft Bill should be carefully prepared, and, if possible, that there should be something in the way of an agreed settlement, as regards controversial matters as much as possible. With this end in view, I propose to submit a draft that I have already got ready and which is with me, for discussion, to the leaders of the various sections of this House, so that they may let me have their views and help me to make the Bill ready for presentation at the next session of the Assembly. My friend Maulvi Tamizuddin Khan has complained that many promises have been given by this Government and many hopes have been raised and he cherishes the expectation that those hopes will be soon realized. As regards the Board of Secondary Education, I can give him this assurance—I have got the draft Bill almost in my pocket and I can produce it now—that I shall send it to him at the time I send it to the leaders of the various groups in this House for consideration and comment. And he may rest assured that by the time the Assembly meets again the draft Bill will be ready for presentation and discussion. The only other point to which my friend Maulvi Tamizuddin Khan has referred was about the Sandwip school. I extremely regret that the case of the Sandwip school is only too typical of the manner in which the Calcutta University has treated the question of recognition of the various high schools in this province. I am very sorry that none is present here to speak on behalf of the Calcutta University, but none the less I think that I owe it to myself and also to the authorities of that school to say that for the last five years this school has been struggling to get recognition, and I am personally inclined to hold the view that the Calcutta University has refused recognition on very insufficient grounds. This, Sir, is not the only case in which such a thing has occurred. There are three other instances to my knowledge: one is in the district of Bakarganj, one is in the district of Rangpur, and the third is in the district of Chittagong, in which applications for recognition made by the schools have been refused by the Calcutta University. Only the other day a case like this came up in which affiliation was refused on the ground that the headmaster was a man of undesirable character. I wanted an inquiry to be made, and it appears that that headmaster had helped the Police in bringing to trial a certain terrorist. That, Sir, is the kind of reason on which the Calcutta University has been refusing recognition to schools. I have no doubt that these instances render

it all the more necessary that a Board of Secondary Education should be constituted without any delay, and I would appeal to all sections of this House to give me their fullest help and co-operation in preparing the Bill and placing it on the statute-book. I will very soon place the draft in the hands of honourable members, and I hope they will give the provisions of the Bill their earnest consideration and try to come amongst themselves to something like an agreed settlement on the controversial points.

Now, I want to say a few words on the question of the deprovincialization of schools. This question was considered some time ago and rejected by the previous Government, and I can only say that this is a subject which is bristling with difficulties. There is so much to be said on both sides of the question that I have not been able to devote much time and attention to it or to come to a definite conclusion as to what should be done. Therefore, on this question I am afraid I have got to say that Government have not been able to arrive at a settled policy. The question is not very easy of solution, and if and when the time comes for this question to be taken up for a solution, I hope honourable members will be able to let me have constructive suggestions as to what should be done in case our schools are to be deprovincialized. At the present moment, however, we propose to do nothing in this direction, unless, of course, there is a clear mandate from this House as to any particular policy which they want us to pursue, in which case I shall, of course, be only too glad to carry out the wishes of the House.

I do not think, Sir, there is anything further I can say, and I can only repeat what I said at the very beginning that, so far as the question of secondary education is concerned, it is one of the most important questions that we can take up, and I hope that if there are any suggestions to be made in this matter of pursuing a particular policy regarding secondary schools concerning the budget that is to be framed next I would request honourable members of the House to let me have their specific suggestions.

I have nothing further to add, Sir.

**Mr. W. C. WORDSWORTH:** Mr. Speaker, Sir, there are only three minutes left before you will now put the demand to vote, but may I say a word from the point of view of the University?

**Mr. SPEAKER:** I am afraid I must tell you that at 7.15 the guillotine will fall. Perhaps, what you intend to say now you can say in connection with European Education?

**Mr. W. C. WORDSWORTH:** What I wish to say, Sir, does not concern European Education, but refers only to the recognition and affiliation policy of the Calcutta University, to which the Hon'ble the Education Minister has just referred.

**Mr. SPEAKER:** I am very unwilling to allow you to make a speech now as the time is very short, but if it is in the nature of an explanation on behalf of the University then you can speak.

**Mr. W. C. WORDSWORTH:** That is so, Sir. I wish to say only this that recognition of schools is decided by the Syndicate, acting on the advice of a School Committee—a large Committee of about 15 members, I am the only member of that Committee who is at the moment present in this House. It is quite misleading to suggest that recognition can be given or refused lightly. The Committee meets every week, it considers carefully the case of every school, it goes through the reports put in by Government Inspectors, and it is quite impossible for a school to be given or refused recognition except after full consideration. The University may make mistakes, but it is never casual or negligent in this matter.

**Dr. H. C. MUKHERJEE:** In view of what has fallen from the Hon'ble Minister I beg to withdraw my motion.

The motion was then by leave of the house withdrawn.

The main demand that a sum of Rs. 1,17,40,000 be granted for expenditure under the head "37—Education—General" was then put and agreed to.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** On the recommendation of His Excellency the Governor I beg to move that Rs. 10,97,000 be granted for expenditure under the head "37—Education—Anglo-Indian and European."

**Mr. W. C. WORDSWORTH:** I beg to move that the demand for Anglo-Indian and European education be reduced by Rs. 100.

My object is to draw attention briefly to the difficulties of the Anglo-Indian and European schools, to invite the friendliness and sympathy of the House, and to thank the Government and the other benefactors of these schools. Their difficulties may be briefly described: They are the familiar difficulties of Indian schools, with certain additions. These schools are in difficulties, and they could not do the work they are doing in this province if it were not for the valuable unpaid labour of the many members of religious Orders who give their lives to teaching in Bengal. Even so, it is as much as the schools can do to carry on their work, and there are very few, if any, that are not in serious embarrassment. One hardship is that they

have to do a great deal of work for charity because they are serving a community that in whatever part of the world it is, required by its sentiments and traditions, education for all its children as an imperative equipment for life. The separateness of European education is only a working arrangement arrived at for the convenience of Government; it is not a consequence of race consciousness or race aloofness. Although we call these schools Anglo-Indian and European Schools I may remind you that they are appreciated by the Indian community. In most of them there are Indian boys and girls. By the European Code 25 per cent. of the pupils of a European school may be non-European, and in many of them that percentage is reached, and there is still pressure for admission. Indian children in European schools are full members of the school in all senses; they are welcome in all their activities and are treated as any other pupils; they are found in all classes, among the prize winners, in the football and hockey sides; they are taking their part in all activities. I may mention that they sometimes take their part also in their schools' activities as a Governor of some schools. I occasionally see Indian names in the lists of those who have forgotten to pay their fees. These schools have a number of Indian teachers; they have a large number of Indian employees of one kind or another; and the 10 lakhs that you are asked to vote for them to-day, is not all spent on Anglo-Indian and European children.

Then again I should point out that the European schools are moving very rapidly towards the Calcutta University. Their boys and girls go up for the Matriculation and many of them for the Intermediate Examinations. They send their pupils on to Indian colleges to prepare themselves for the degree. All this is of importance.

Until recently European education was a reserved department. Its special reserved character has disappeared; it is now an ordinary part of the administration, and for the first time it comes under the administration of an Indian. Our Minister for Education is the Minister for European education. In administering this small department he is assisted by a Board of Advisers, and he will find that it is a very vigorous and pertinacious adviser. It does its work, I make bold to say, thoroughly and it is trusted as representative for our European schools. On that Board the University has a member. That member is our present Vice-Chancellor and it is not necessary to tell this house how useful a member he is. The European community in Bengal is coming into closer touch with the Indian community in all ways. One of my chief reasons for speaking this afternoon is to invite the sympathy and friendliness of our Indian friends. The European schools naturally hope that their position will improve. They have a grant assured to them by Statute, the average of the last 10 years. They hope for more, but not at the expense of Indian

education. They hope that Indian education and European education will advance and improve and be benefited together. They are unable to understand how education can advance in part; it must advance as a whole.

Judging by the discussion of yesterday perfect Moslem and Indian accord would be an admirable thing for the education of our province if we can bring it about. Similarly I appeal here for perfect Indian and European accord, without which the European schools cannot be easy or do their best work.

**Mr. J. W. CHIPPENDALE:** I rise to ask the support and sympathy of my Indian brothers and sisters in this Assembly. I need not remind them that we are members of a small community and according to the language of the day a minority community. We are poor and desparately poor. Most of our education is given to us by charity—the charity of churches and of religious bodies and of the British nuns of the various orders we see spread out throughout the whole province. Now, we ask the sympathy, the kindliness and friendliness of this House in our endeavours improve ourselves. The foundation which we seek for education is religion. We believe that religious education in all institutions leads to the best education. Furthermore we also believe that for education itself certain subjects are necessary for the Anglo-Indian community, as for instance, rightly or wrongly we believe that Latin and Greek should be taught in schools in order to make us quite familiar with the English language and to have a working knowledge of the same. We believe also in the elementary education at least of the natural sciences. Some sort of knowledge in Physics and Chemistry in order to advance us in economic life. Are these things to be despised? Are they not necessary for the community?

With all the help that we get from the religious bodies, perhaps this House will be surprised to learn that there is a considerable number of boys and girls in the city of Calcutta who are roaming about the streets of Calcutta because they are unable to pay their ordinary school fees. I myself have made four appeals and sent them to various bodies and persons whom I know and I am trying my level best just to raise a little money for the school fees of these children, but I cannot get it. Furthermore as the Hon'ble Chief Minister himself knows many of our school buildings are sadly in need of repairs. There is one school that contracted a debt of about Rs. 8,000, not for the purpose of extension but for the purpose of maintaining the existing building and keeping it wind and water tight and doing other necessary repairs. What is the result? Eight years have passed and yet that debt has not been repaid.

We want also ordinary laboratories. If you go to any school and ask "where is your laboratory" you will find that it does not possess one. If it does, it is of the most elementary character.

I do not want to take up the valuable time of the House but at the same time I must mention certain other facts connected with the distress and indigence of the community. That is the reason why I appeal to you for help. Look at the Bengal Civil List which is being sent to every member of this House; go through the pages of the Civil List carefully and you will find that it is melancholy reading so far as the Anglo-Indian Community is concerned. These are the facts which I have collected together. I do not desire to go into the details of those facts. Suffice it for my purpose to mention shortly and as briefly as I can the following facts: (1) there are 257 Deputy Magistrates out of whom four are Anglo-Indians; the last appointment was in 1921—none after that. There are 379 Sub-Deputy Magistrates—

(The member having reached the time-limit, resumed his seat.)

**MR. C. CRIFFITHS:** Mr. Speaker Sir, I rise to support our Hon'ble friend Mr. Wordsworth and join him in thanking our new Minister of Education the Hon'ble Mr. Fazlul Huq and the Cabinet for our grant of Rs. 10,97,000 voted expenditure for the year 1937-38 under the head "37—Anglo-Indian and European Education" which compared with that of the previous years, viz., Rs. 10,65,000 shows an increase of Rs. 32,000 but if we were to take the total grant voted and non-voted we have only Rs. 11,02,000 against Rs. 12,87,000 a deficit of Rs. 1,85,000.

In the circumstances therefore, it is gratifying to find that the burden of providing for the Reformatory School, and the expenditure other than Anglo-Indian and European in the districts of Darjeeling and the Chittagong Hill Tracts have been transferred, thus affording us some relief.

This removes our apprehensions as to the future, now that a new stage has been reached in the history of Bengal with self-government in the hands of the people of this country and a Ministry composed entirely of the members of the two major communities—Muslims and Hindus.

If one good turn deserves another, then to-day in our need no better turn could be done us in appreciation of the work done by our forbears. For example men like William Carey, John Marshman and William Ward the immortal trio of Serampore who about 120 years ago built at a cost of over Rs. 2,25,000 the Serampore College, that massive structure which stands facing the river Hooghly for the education and welfare of Bengali Students, both Christian and non-Christian.

Sir, I have already stressed during the budget discussion the dire poverty the members of my community have fallen into for want of work, brought about by the so called Indianization of the services, when members of our community were removed to make room for the members of another, both being Indians.

It should always be remembered that we form one of the component parts that go to make up the peoples of Bengal and that our future

entirely depends on the education we receive. We along with the other middle classes of Bengal, need skilled employment to enable us to live in our own style, and up to the standard to which we are accustomed.

All around we find an attempt made to raise the standard of the poorer Indians while the middle classes are not considered. It should not be forgotten that the middle classes generally form the backbone of a country, and if neglected the whole complicated movement of our economic system will be destroyed. However the burden of providing the cost of education for the children of the poorer members of the Anglo-Indians falls mainly on the Schools, since the parents through want of employment are unable to pay the fees, and with the low scale of wages now offering all round, the cost of education in our better schools is practically being placed beyond the reach of most of us.

The position has become so acute that the district charitable society has found it necessary to widen their scope of activities and to help our Schools by certain contributions, so that the children of respectable Anglo-Indian families who have fallen on evil days, may be moved from undesirable surroundings.

The recent appeal made by the Bishop of Calcutta both here and in London for funds, for our Schools as reported in the press will show to what straits our schools have been reduced. We have no wealthy men who retire in Bengal to leave us donations, and on this matter I might quote what the Metropolitan had to say with regard to Church Schools "that in India they possessed no retired class among Europeans; the latter retired to England and there remained in India no such class to contribute to Church funds."

Government grants also have been cut from time to time and the stipends formerly given to the poorer pupils have been stopped. Surely a community that loyally supports and stands by the Government is deserving of some consideration. Again our Schools make provision for 25 per cent of non-Europeans and are well patronised by Indians, so there should hardly be any question raised regarding our grants, which benefit all, and in this connection I would like to repeat what I said last year on the floor of this House.

To efficiently maintain our institutions in Bengal the annual cost is now over 37½ lakhs of rupees and the grant is just a little over 10½ lakhs, leaving us to find the balance, viz., 27 lakhs. Assuming that by enhanced school fees a little over 50 per cent. of this amount is realised, the remainder is got from our endowment funds.

But to-day we are to make provision for the admission of 25 per cent. of non-Europeans into our schools and only 15 per cent. are to be shown on the register for the purpose of maintenance—grant calculated on attendance.

Surely to educate the 25 per cent. of non-Europeans, at present 2,667 pupils out of a total of 11,853 it is necessary to utilise a quarter of the

Government grant and a quarter of our endowment funds, and if we were to debit the latter sum against the former it will be seen how little we do get from Government in the way of grants.

It is therefore to be hoped that Indians of political thoughts will realise that children of their community are receiving educational advantages provided by benefactors in the past solely for Anglo-Indian children and that consequently Government grants to our schools will be increasingly liberal as time goes on—

(The member having reached the time-limit, resumed his seat.)

**The Hon'ble Mr. A. K. FAZLUL HUQ:** This is the first occasion on which this part of the Budget is being presented by a Minister for Education, and I cannot let this opportunity pass without paying a very well-deserved tribute to the great services rendered to the cause of Anglo-Indian and European Education in Bengal by Sir John Woodhead who was in charge of this Branch of Education under the old regime. Sir, as regards this Department, I may tell the House that this division of Education—European and Anglo-Indian and Education—General is due only as a matter of working convenience and does not arise from any desire to raise any racial differentiation. There is a provincial Board which works as an advisory body, and a meeting under the Chairmanship of the Member in charge of European and Anglo-Indian Education and the Minister in charge of Education under the present Constitution is held by that particular board working as an advisory body to bring to the notice of the Minister in charge specific questions relating to Anglo-Indian and European Education in Bengal. Sir, under the Government of India Act, Government is bound to provide in its Education Budget a grant for Anglo-Indian and European Education which is not to be less than the average of the grants made in the ten years ending in March 1937 (?). The total Education Budget is still less than the ten years' average but it is greater than the Education Budget for the last financial year. The Anglo-Indian and European Education Budget has been therefore automatically benefited and more money has been made available in this year's budget. This extra money amounting to a little more than Rs. 40,000 has been spent on a number of schemes of capital expenditure and on the restoration of ten per cent. cuts imposed on certain grants during the years of financial stringency. I freely admit that the money that has been provided for Anglo-Indian and European Education is still inadequate and my examination of the question has revealed the fact that this money would have been hopelessly inadequate, had it not been for the fact that a very large part of the work of education is being done by unpaid members of religious orders. I cannot pay too high a tribute to the selfless work by scholars of repute belonging to the various religious orders without whose willing co-operation it would have

been impossible for the Government of Bengal to tackle the various problems relating to Anglo-Indian and European Education in this province. I can only express the hope that the provincial Board will, in co-operation with me as the Minister in charge, be able to materialise schemes for the improvement of Anglo-Indian and European Education. As regards further grants I shall leave it to my friends in this House to suggest to me ways and means of doing so, having regard to the claims of various other interests on the Education Budget of this province. Sir, at the present moment, I do not wish to take the time of this House by discussing any other question and I only conclude by expressing the hope that so far as the Indian section of this House is concerned, there will be no unfriendly attitude towards the cause of Anglo-Indian and European Education. We propose to work in perfect harmony and we realise the special difficulties of Europeans in this country. I may tell the House that the various educational institutions are in many cases not used by Europeans who come from Europe to work in India. They generally prefer to send their children for education at Home, and Indians no less than Europeans and Anglo-Indians are benefited by the various schools which exist in this country and which are meant ostensibly for Anglo-Indians and Europeans as their doors are always open to students of our community. Let me once more assure our European friends that we will work as hard for their education as we do for Indian education and that we do realise that for the good of the country and in the best interests of Education there should be no misunderstanding which would be as disastrous to us as it would be to the cause of Education at large. I hope the motion that has been moved by my friend, Mr. Wordsworth, will be withdrawn.

**Mr. W. C. WORDSWORTH:** I beg leave of the House to withdraw my motion.

The motion was then by leave of the House withdrawn.

The demand that a sum of Rs. 10,97,000 be granted for expenditure under the head "37—Education—Anglo-Indian and European" was then put and agreed to.

### Adjournment.

The House was then adjourned till 10-30 a.m. on Saturday, the 28th August, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Saturday, the 28th August, 1937, at 10-30 a.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.)  
in the Chair, the eleven Hon'ble Ministers and 196 members.

**UNSTARRED QUESTIONS.**

(to which answers were laid on the table)

**Over-schooled areas.**

**49. • Dr. H. C. MOOKHERJI:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether there are any areas which are at present over-schooled in respect of secondary education in the sense that there are more schools in the locality than the average numerical strength of the schools will justify, taking 320 as the desirable limit for a school?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table a statement showing such areas with the number of schools in each and their numerical strength?

**MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** It has been brought to my notice, from time to time, that there do exist areas in the province which are over-schooled, but I cannot specify such areas and the details asked for are not available.

**Dr. H. C. MUKHERJI:** Will the Hon'ble Minister be pleased to state whether by the word "over-schooled" he understands that a particular area has a larger number of schools than in his opinion is justifiable or does he understand it to mean that while the number of schools is not excessive, each of them is teaching more than 320 students?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** By the word "overschooled" I mean the number of schools irrespective of the number of students.

**The Vidyasagar College, Calcutta.**

**50. Mr. MIRZA ABDUL HAFIZ:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether the Vidyasagar College at Calcutta receives any grant from Government, and, if so, whether students of all communities are admitted without any racial or communal discrimination?

(b) If the answer to clause (a) is in the affirmative, will the Hon'ble Minister be pleased to say separately how many European and Muslim students are in that college?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (a) The college does not receive any grant-in-aid from Government and it does not admit non-Hindu students.

(b) Does not arise.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Does the Hon'ble Minister propose to take any steps to induce these colleges to throw open their doors to students of all communities?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It is a request for action, Sir.

**Mr. NIHARENDU DUTTA MAZUMDAR:** In view of this answer, namely, that this particular college does not admit non-Hindu students, does the Hon'ble Minister propose to take necessary steps?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I do not know whether we can take any steps at all.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Has the Hon'ble Minister laid down any policy in order to induce educational institutions to adopt a non-communal policy with regard to admission of students?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I submit that no policy has been laid down because Government has had no opportunity of taking any steps.

**Maulvi TAMIZUDDIN KHAN:** Having regard to the fact that non-Hindu students are not admitted, does the Hon'ble Minister think it desirable to be in communication with the University in regard to this matter?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I will convey the wishes of the honourable member by a correspondence with the University.

**Dr. H. C. MUKHERJI:** Is the Hon'ble Minister aware that there is in existence some kind of a trust which does not allow the trustees of this college to admit any except Hindu students? • •

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I do not know but I am told that there is such a trust.

**Recruitment of scheduled castes in the ministerial services in the civil courts of Rangpur.**

**51. Babu, KSHETRA NATH SINGHA:** (a) Is the Hon'ble Minister in charge of the Judicial Department aware that His Excellency while at Rangpur on the 31st October, 1936, declared to the effect that appointments in the ministerial services would be given to the members of the scheduled castes in the proportion of 1 to 4?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state—

(i) how many clerks have been appointed in the civil courts of Rangpur; and

(ii) how many of them have been given to the members of the scheduled castes?

(c) Are the Government considering the desirability of taking steps to stop recruitment from castes other than scheduled castes till the proportion is reached?

**MINISTER in charge of JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharuff Hossain, Khan Bahadur):** (a) Yes, that one out of every four temporary vacancies would be so filled.

(b) (i) Ten (permanent and temporary). Between September, 1936, and August, 1937.

(ii) Two.

(c) No.

**Babu KSHETRA NATH SINCHA:** With reference to answer (c), may I know why no action has been taken to raise the proportion to 25 per cent. so far as the district of Rangpur is concerned?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** Action has been taken.

### Muhammadan Marriage Registrars.

**52. Maulana MD. MANIRUZZAMAN ISLAMABADI:** (a) Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to state—

- (i) whether there is any age limit for the appointment and retirement of Muhammadan Marriage Registrars;
- (ii) the qualifications necessary for appointment as Muhammadan Marriage Registrars; and
- (iii) whether any change has been made in the qualifications necessary for appointment to these posts?

(b) Will the Hon'ble Minister be also pleased to state whether it is a fact that some of the Muhammadan Marriage Registrars have kept notes of the terms of the *kabinnamah* in their registers in Bengali although the *kabins* are actually written in Urdu?

(c) If the answer to (b) is in the affirmative, will the Hon'ble Minister be pleased to state whether Government propose to take steps—

- (i) to stop such a procedure immediately; and
- (ii) to safeguard correct and accurate translations by persons who have knowledge of the Urdu language?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (a) (i) No. Orders, however, have recently issued to the effect that they should not ordinarily be allowed to hold office after their attaining the age of 60 years.

(ii) The qualifications will be found in rule 4 of the Rules published under Notification No. 620-Regn., dated the 14th August, 1929, a copy of which is placed on the Library table.

(iii) No.

(b) No such case has yet been brought to my notice.

(c) Does not arise.

**Al-Haj Maulana Dr. SANAULLAH:** With reference to answer (ii), does the Hon'ble Minister propose to make the possession of an academic certificate such as the madrasah final or any other certificate

of an equivalent examination the minimum qualification for the recruitment of Muhammadan Marriage Registrars because the existing rules are clearly vague and definitely indefinite?

**Mr. SPEAKER:** You cannot argue your point when putting questions.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I will consider the suggestions of the honourable member.

**Number of civil suits in the civil courts of Chittagong.**

**53. Khan Bahadur JALALUDDIN AHMAD:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to lay on the table a statement showing, year by year, during the last five years:—

- (a) the number of original suits and cases in the civil courts of the district of Chittagong;
- (b) the number of appeals therefrom;
- (c) the number of such suits or appeals dismissed for default and dismissed under order 41, rule 11, of the Code of Civil Procedure, 1908; and
- (d) the average number of appeals disposed of monthly by each appellate court under the District Judge of Chittagong?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**  
A statement is laid on the table.

*Statement referred to in the answer to unstarred question No. 53, showing the number of civil suits, year by year, during the last five years in the district of Chittagong.*

	1932.	1933.	1934.	1935.	1936.
(a) Original suits	31,461	39,732	41,513	41,202	41,098
(b) Appeals ..	1,340	1,532	1,571	361	1,245
(c) Suits ..	3,599	3,893	3,849	3,982	3,961
*Appeals ..	263	207	210	108	244
(d) ..	20.3	23.2	23.8	12.6	17.8

\*Note.—No separate figures to show the number of appeals dismissed under order 41, rule 11, Civil Procedure Code, are kept.

**Short-notice question.**

**Mr. SPEAKER:** I find that Mr. Pain's short-notice question is ready and could have been answered to-day but he is absent. I consider that a short-notice question cannot be answered in the absence of the member who has put it.

**Al-Haj Maulana Dr. SANAULLAH:** On a point of order, Sir. I handed over my short-notice question about four days ago and I have been also told that the answer has been handed over to this Department by the Hon'ble Minister concerned, but I am sorry to find that up till now the answer is not forthcoming.

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** I am sorry my friend has misunderstood me. I did not say that the answer was handed over by me to the Legislative Assembly Department, I said that it was handed over by me to the Revenue Department. The answer should have been placed on the Table to-day. I am very sorry for the delay and I hope to reply to it next day.

**Mr. KIRAN SANKAR ROY:** May I make one submission to you, Sir? As regards questions, we on this side of the House and I believe almost all other sections of the House are not satisfied at the dilatory manner in which questions are being answered in this House. If you will please notice, you will find that on an average not more than eight questions are being answered every day. This privilege of asking questions is considered to be a very cherished privilege. Can you not, Sir, as the custodian of our rights and privileges, use your influence in bringing pressure on Government so that questions may be answered promptly?

**Mr. SPEAKER:** It is not so much the fault of Government departments as it is of the Assembly Department itself, and this is due to the fact that we have only a skeleton staff to deal with questions and answers. You may remember what I said on a previous occasion that we had still 300 questions to dispose of, and we had no other alternative but to tentatively admit them and send each one of them to the administrative department concerned. Unless the Assembly Department gets expert assistance in the matter, it is impossible to admit so many questions without a detailed examination within the specified time. It is impossible to deal with the amount and volume of work with our present staff.

**Dr. NALINAKSHA SANYAL:** In connection with the debate on the question of the inadequate staff of the Assembly Department, the Hon'ble Home Minister was pleased to assure us that his department and other departments would place at your disposal the requisite staff to meet the present emergency. Have you got such assistance now and is there any difficulty with regard to the disposal of these matters?

**Mr. SPEAKER:** I hope you will realise that even though the administrative departments may have been prepared to send their staff to deal with questions, I think it cannot possibly meet the emergency. We require permanent staff, because it is impossible for a new man from the Secretariat to examine and prepare a note as to whether a question is admissible or not and whether it comes within the restrictive provisions of the Government of India Act or of rules and Standing Orders. We tried one or two men but found that it was much better to leave the matter to the present permanent staff than to utilise the services of men who are not conversant with the technicalities of our Department. We have also been given a number of men for supervision work in the visitors' galleries but though the administrative departments promised to send a total number of ten men, we got only one man on the first day, and three on the next day and seven yesterday, and I do not know how many there are to-day. That is the present position.

I think, however, it would be better not to raise this question in this Chamber but to discuss it with the Home Minister and the leaders of the various groups outside this Chamber.

**Dr. NALINAKSHA SANYAL:** In view of what you have stated, Sir, it appears that there will soon be a complete deadlock. Has the Hon'ble the Home Minister got no statement to make in this connection? As you say, Sir, a permanent staff alone can deal with the matter. I submit that unless this is done to solve our present difficulty, the work of the Assembly Department would come to a stand-still.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I will be prepared to discuss the matter with the leaders of the various groups in your presence.

**Mr. SPEAKER:** The Hon'ble the Home Minister is pleased to accept my suggestion. I propose to call such a conference sometime next week.

**Mr. SARAT CHANDRA BOSE:** We were told that the short-notice question put by Mr. Santosh Kumar Basu would be answered to-day. The Hon'ble Khwaja Sir Nazimuddin made that statement.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** First of all, Mr. Santosh Kumar Basu is not here. Then as regards his question, it involves communication with the Government of India and with the Chief Commissioner of the Andamans, and I am not yet in a position to give a reply to it. I was quite prepared to answer Mr. Pain's question which is practically on the same subject, but Mr. Pain also is not here to put his question.

**Mr. SARAT CHANDRA BOSE:** As regards Mr. Pain's question, with your permission, Mr. Speaker I can represent him in the matter.

**Mr. SPEAKER:** I have no objection if the Home Minister is prepared to answer it, but the general practice which I want to follow in regard to short-notice questions is that the member concerned will put the question and the Hon'ble Minister concerned will make the reply.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I am prepared to answer it, but may I submit that this will not be treated as a precedent?

**Mr. SPEAKER:** I am permitting it only as a special case as the Leader of the Opposition has made a special request and as the question seems to be of sufficient importance. But I can definitely say that no short-notice question will be answered in the absence of the Member who has put it.

**Mr. ABD'UR RAHMAN SIDDIQI:** Mr. Speaker, you said sometime ago that you were not going to make it a practice and now you say that you are permitting it as a special case.

**Mr. SPEAKER:** My final ruling is that the Member concerned should be present and put the question personally, but this is an exception which I am going to make in favour of the Leader of the Opposition. Mr. Siddiqi should know that every rule has its exception.

#### Short-notice Starred Question.

**Mr. SARAT CHANDRA BOSE:** (a) Is the Hon'ble Minister in charge of Home (Special) Department aware of the decision of the Government of India that they would not stand in the way of the Government of Bengal if the latter wanted repatriation of the prisoners in the Andamans?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state—

(i) whether he contemplates taking immediate steps for their repatriation; and

(ii) whether he contemplates also communicating his decision to the hunger-strikers without delay?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** (a) The attention of the Hon'ble Member is invited to the communiqué issued by the Government of India on the 26th August, a copy of which has been placed in the Library.

(b) Does not arise.

*Communiqué referred to in the answer to the short-notice question of Mr. Barada Prasanna Panigrahy in the Assembly meeting of the 28th August, 1937.*

"Since it is clear that misapprehensions have arisen as regards the position of the Government of India in regard to the demand for the repatriation of the prisoners in the Andamans, consequent on the discussion in the Legislative Assembly on August 25, the Government of India think it well to make clear beyond question their attitude in this matter. It is as follows:—

"Any order for repatriation would have to be issued, as already publicly explained, by the Government of India as being the Government administering the Andamans. The Government of India have already made it clear that, for the reasons they have publicly stated, so far as they are concerned they are not prepared to give any consideration to demands put forward by the prisoners or by other persons on their behalf so long as the hunger-strike continues."

### Supplementary Questions.

**Mr. SARAT CHANDRA BOSE:** Is the Hon'ble the Home Minister aware that Mr. Mudie on behalf of the Home Department of the Government of India made a definite statement in the Indian Legislative Assembly that, if the Government of Bengal wanted repatriation, the Government of India would not stand in their way.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I refer the Hon'ble Member to the communiqué of the Government of India.

**Mr. SARAT CHANDRA BOSE:** I submit, Mr. Speaker, it is not an answer to my question.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I submit that it is a complete answer.

**Mr. SARAT CHANDRA BOSE:** Mr. Speaker, the communiqué is silent on that point. I, therefore, ask, is the Hon'ble the Home Minister aware that Mr. Mudie, representing the Home Department of the Government of India, made a clear and definite statement in the Indian Legislative Assembly two days ago that if the Government of Bengal wanted repatriation the Government of India would not stand in their way?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I have only seen a report to that effect in newspapers.

**Mr. JOGESH CHANDRA GUPTA:** Is the Hon'ble Minister prepared to state on behalf of the Government of Bengal whether he is going to make a demand for repatriation?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I have nothing further to add to the policy which I announced in the House at the time of the discussion of the adjournment motion on the Andamans question.

**Mr. ABDUR RAHMAN SIDDIQI:** Has the Hon'ble the Home Minister made an attempt officially to verify or get confirmed the statement of Mr. Mudie when he saw it in newspapers?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** No, Sir.

**Mr. JOGESH CHANDRA GUPTA:** Will the Hon'ble Minister be pleased to inform the House whether he is prepared to move in the matter of repatriation on behalf of the Government of Bengal?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I have already stated what the Government policy on this question is and as the House has given its verdict on that policy, I have nothing further to add.

**Mr. SARAT CHANDRA BOSE:** Is the Hon'ble Minister in a position to contradict the statement which appeared in newspapers that Mr. Mudie made and which I have already quoted?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** In view of my previous answer it is obvious that I am not in a position to contradict.

**Mr. R. H. FERGUSON:** Is it not a fact that no Government can take action until the hunger-strike is called off?

**Dr. NALINAKSHA SANYAL:** I submit it is a question of opinion.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** With your permission, Sir, I should like to answer this question that in view of the decision of the House on this issue the answer is in the affirmative.

**Mr. ABDUL RAHMAN SIDDIQI:** In the light of the statement of Mr. Mudie, does not the Home Minister feel that the verdict of this House (Office) requires change?

(No answer.)

**Mr. JOGESH CHANDRA GUPTA:** Having regard to the fact that the position is now made clear that it is the concern of the Provincial Government to make a demand for repatriation, does not the Hon'ble Minister think that as the verdict of the House proceeded on the basis that it was the concern of the Central Government, it has not made a change in the situation?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** The Government of India communiqué does not bear out the contention of the hon'ble member who has put the question.

**Mr. SARAT CHANDRA BOSE:** Will the Hon'ble Minister be pleased to state if it is a fact that expenditure on Bengal prisoners in the Andamans is incurred by the Government of Bengal and not by the Government of India?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** May I submit for your decision, Sir, that this question does not arise out of the main question?

**Mr. SPEAKER:** I personally think that this question does arise, because the point at issue is whether the decision of this House was taken on the basis of the jurisdiction of the Government of India. As a result of your answer, Mr. Bose wants to make it clear whether the financial responsibility rests with the Government of Bengal or not.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** The answer is in the affirmative.

**Mr. SARAT CHANDRA BOSE:** Will the Hon'ble Minister be pleased to state if it is a fact that the Bengal prisoners in the Andamans were taken to the Andamans by the Government of India at the request of the Government of Bengal?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Yes, Sir.

**Mr. JOGESH CHANDRA GUPTA:** Will the Hon'ble Minister be pleased to state whether the Government of Bengal is prepared to make a request for repatriation and to make it quite clear that financial obligations of the Government of Bengal will be met if the request is not acceded to?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** The policy of Government has already been announced on this question, and there is no reason to justify a change in that policy, because the Government of India have made it clear that whatever statement may have been made by Mr. Mudie is not the opinion of the Government of India.

#### DEMAND FOR GRANT.

##### "17—Irrigation—Working Expenses," etc.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 33,10,000 be granted for expenditure under the heads "17—Irrigation—Working Expenses—18.—Other Revenue Expenditure financed from Ordinary Revenues—18(1).—Other Revenue Expenditure financed from Famine Relief Fund—19.—Construction of Irrigation, Navigation, Embankment and Drainage Works—B.—Financed from Ordinary Revenues and 68.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenues."

In framing the budget of the Irrigation Department of the current year, we have generally had to follow the lines of the previous year's budget of the late Government. The present Government are fully alive to the vital necessity of a forward policy and within the short space of time at our disposal we have been able to provide some indication in this respect of the steps which I have taken to combat this serious problem. Sir, hon'ble members will realise that the budget of the Irrigation Department which I have the honour to present in this House is rather on the modest scale of the late Government, and the actual demand of the current year is rather less by Rs. 1,19,000. The modest scale of this year's budget is due to the fact that no major

schemes of public importance relating to this branch was found ready for inclusion. Irrigation, navigation and drainage schemes which are dealt with by this department cannot be prepared at a moment's notice. Extensive surveys and investigation and especially hydraulic observations are essential preliminaries before these schemes can be prepared. Then, again, there is the financial aspect which has got to be looked into at some details.

An important feature in the current year's budget is the provision of Rs. 1,25,000 under head "18A—Miscellaneous expenditure—Establishment of tools and plants" and Rs. 27,230 under "18A—Miscellaneous expenditure—Establishment on account of cost of staff, etc.," respectively, for engineering and revenue survey for the preparation of detailed schemes for flushing and irrigating the area lying between the Damodar and the river Hooghly. I may tell the House that this is a flood-flushing scheme of considerable importance and I should like to refer to it in some detail at a later stage. Another important feature has been the provision of Rs. 1,25,000 under "Grants-in-aid" on behalf of the annual grant to the Waterways Board, proposed to be established as soon as we are able to get all the details.

The current year's budget provide Rs. 5,97,500 for "Original works—Works in progress—New surveys and surveys in progress" of which details will be found in Appendix A, on pages 26-27 of the budget. A few new items of small works have been provided for such as the construction of a regulator on the Damodar Canal, fitting a regulator at Banka syphon, etc., and these are considered to be necessary in the best public interest. The budget provides for a lakh of rupees for the reconstruction of the Barrackpore, Alipore, Narkeldanga, Chitpur, Narkeldanga, Beliaghata and Tollygunge Bridges. Under section 39 of the Irrigation Act, Government is liable to make a suitable provision for bridging the canals which are constructed or maintained by Government and in order to suit the requirements of the present-day traffic, we have to model the bridges accordingly. The Calcutta Corporation and Calcutta Improvement Trust also have to contribute their share in this direction.

The budget provides for capital expenditure to the extent of Rs. 3,59,000 in connection with the "Damodar Canal Irrigation Project" in Burdwan which is nearing completion, provision has been made for carrying out a few remaining works in connection with the canal proper and repairing the Anderson weir which was considerably damaged by the flood of 1935.

The contour survey of western and central Bengal at a cost of Rs. 1,46,000 was sanctioned during the year 1935-36. The need for such a survey is without question. It is expected that from such surveys would emerge projects and schemes of sufficient remunerative

and stable nature for adoption under the Bengal Development Act. The survey which was undertaken and continued during the last three years will be completed this year and budget provision of Rs. 52,700 is needed to complete that survey.

The total provision for works and surveys in the current year's budget is Rs. 5,84,000. It is less than what was provided in 1936-37. The decrease is due to a lesser amount being provided for capital expenditure on the Damodar Canal.

Provision for maintenance and repairs under all heads in the current year's budget is Rs. 13,56,000 against the voted grant of Rs. 14,67,800 for 1936-37. The apparent decrease in the current year's budget is due to the exclusion of Rs. 2,21,000 provided in the previous year's grant on account of debit charges for loss on stock relating to the dredgers for which *per contra* credit of a corresponding amount was taken under head "Stock suspense," the "plus and minus entries," thus cancelling each other.

Taking this into consideration the current year's budget really allows for a larger reserve against Rs. 61,000 of the previous year for expenditure on account of maintenance of the Damodar Canal and other unforeseen charges. Now, Sir, I will come to the question of the dredger.

I am aware of the strong feeling that was expressed against the retention of these dredgers. I may point out, Sir, that Government ever since the year 1935 is trying their level best to dispose of these dredgers in India and abroad. The original idea was to dispose of "Ronaldshay," "Cowley" and "Burdwan," but subsequently it was decided to keep "Ronaldshay" and dispose of "Foyers" which has come to the end of its life. Sir, the maximum offer which we got for one of these dredgers was Rs. 40,000 and I may give some idea of the original cost price which was Rs. 52 lakhs. The dredger "Ronaldshay" is being hired by the Calcutta Corporation on suitable terms for excavation of the proposed storm-water channel between Bentola and Kult. I may assure the House that personally I have very strong feeling against their retention and I will do my best to dispose them of at the earliest opportunity. But, Sir, as you are aware there is a proposal for forming a Waterways Board and it has been suggested that we should wait and see how many of these dredgers would be required by that Board because they will have to invest some money on dredgers and if we transfer these dredgers to them that will certainly lower their capital cost.

As regards "Establishment charges," the provision for voted establishment is Rs. 10,99,000 or Rs. 1,42,000 in excess of the voted grant for 1936-37. The increased provision in the budget is for extra staff

required for the engineering and survey in connection with the preparation of the detailed scheme for flushing and irrigating the Damodar Canal area.

The provision for "Tools and plant" in the budget is Rs. 94,000 against the voted grant of Rs. 63,000 for 1936-37. The increased provision is due to an extra requirement of Rs. 23,000 for Damodar-Hooghly survey and Rs. 8,000 for the purchase of a new road roller to replace the old and unserviceable one for maintenance of this department road along the Circular and Eastern Canals.

"The problems that await solution in Bengal, if indeed the problems presented can be completely solved, are complicated in the extreme." In these words the Royal Commission of Agriculture in India summed up their review of water problems of Bengal. But however complex the problem might be, it is a matter of life and death for the people of the province and must be faced boldly with a vigorous policy. The Irrigation Department Committee as well as the late Government realised fully well that not even a fringe of the problem could be touched unless and until the supreme question of finance was solved—additional sources of revenue must be found as all these major projects involved huge capital outlay and it is impossible for any Government to undertake any of these major projects without making sufficient arrangement to get funds from the project to pay itself.

Sir, till recent years the only Government works which were in operation in Western Bengal were Midnapore Canal irrigating about 80,000 acres and the Eden Canal in Burdwan irrigating about 20,000 acres. In 1926 the Government took up the construction of the Damodar Canal project which has nearly been finished and is now in operation commanding an area of 180,000 acres. In 1927 the Bankura Division was formed—by Division I mean Irrigation Division—to investigation into the possibility of new irrigation schemes. The Bakreswar Canal was as a result thereof constructed and is now in operation irrigating about 8,000 acres.

One cardinal defect of the old Irrigation Act was being increasingly felt, that is, the voluntary basis of the old Act under which it was entirely optional for the *raiyats* to apply for canal water. In the peculiar conditions of Bengal this constituted an element of uncertainty and necessarily it was felt that on this precarious basis no big irrigation project could be made a financially sound proposition. The Bengal Development Act of 1935 removed this defect of the old Irrigation Act and Government now feels that it would be possible for them to take up schemes prepared by the department and also new schemes which might be proposed by any member of the legislature. And as an indication of what further schemes are being considered by the department I may be permitted to mention the contour survey of Western and Central Bengal undertaken in 1936 and now almost completed. This

has helped in formulating two storage schemes of outstanding importance, I mean the More Scheme and the Darakeswar Project. The special feature of these storage schemes is that by providing reservoirs it will be possible to supply water in September and October which will help the cultivation of sugarcane and other money crops which unfortunately it is not possible to do in the Damodar Canal area at the present moment. Two excellent sites for storage dams, namely, one across the Darakeswar river at Suknibash in Bankura district about 15 miles above Birbhum and the other across the More river at Messangore in the Southal Parganas about 21 miles above Suri, have been discovered. It is expected that about 2 lakhs acres of paddy land in Bankura and Burdwan districts could be irrigated by the former and 432,000 acres in Birbhum and Murshidabad districts by the latter, besides irrigation of *rabi* crop and sugarcane.

The serious problem created by embankments and drainage is also being seriously considered at the present moment. This is predominantly a problem created by human interference with the process of building up of the delta in this deltaic province in the shape of premature reclamation of the land by means of embankment. These flood embankments, some of which were erected long before the British occupation of this province, have killed the spill and drainage channels and are responsible for the progressive deterioration in health and productivity of the soil. We are following the policy of gradually abandoning these embankments and we also propose to continue that policy.

Now, Sir, I will come to the question of introduction of flood-flushing scheme for the improvement of sanitation and productivity of soil. A very important scheme in this respect is under consideration of the Government. I mean the scheme for flushing and irrigating the area lying between the Damodar and the Hooghly rivers. It was Dr. Bentley, late Director of Public Health, who, in a report, correlated the reduction in the fertility of the soil and in the outturn of crops, the increased prevalence of malaria and an enhanced death rate with the decay of the distributary rivers on the left bank of the Damodar below Burdwan and with the deprival of the flood spill of that river as a result of the construction of the Damodar left embankment. It was argued that if the Damodar river were allowed to spill over its left bank and if its distributary rivers were allowed to function again, the former prosperity and health of the country between these two rivers would be restored. A Special Officer was accordingly appointed to prepare such a scheme for the area lying between the Damodar, Banka and Hooghly rivers in Burdwan, Hooghly and Howrah districts and an estimate was prepared. While examining the estimate it was found that a mere flood-flushing scheme without provision to ensure irrigation in October when rain and river supply fail in

these parts, though highly beneficial as regards improvement in sanitation and productivity of the soil, cannot ensure good harvest and as such is not likely to be popular and financially sound. So the scheme was revised to make such provisions, i.e., a storage reservoir in the upper valleys of the Damodar river and a barrage across the Damodar near Burdwan. This is indeed a scheme of considerable magnitude and when completed is expected not only to irrigate something like 350,000 acres in a tract where crops periodically fail but also to materially improve the sanitation and productivity of the soil of an area measuring 916 square miles in Burdwan, Hooghly and Howrah districts. It has now been decided by Government that a detailed estimate and a revenue survey of the scheme should be prepared at an estimated cost of Rs. 1,75,000 and Rs. 50,700, respectively. These works will be taken in hand shortly and are expected to be finished by next July.

Now I come to another very important development, the constitution of the Bengal Waterways Board.

Now, Sir, I come to another important question of the development of the constitution of the Waterways Board. I have already referred to the policy of the reorganisation of the Irrigation Department that has been followed by Government during the last few years and as a result of the recommendation of the Royal Commission on Agriculture in India and more particularly those of the Committee of experts, called the Irrigation Department Committee. I may say that the report of this Committee will be an invaluable record for all times to come whenever any important irrigation project is taken up. This Committee definitely recommended the separate organisation of the Waterways Board created by Statute to take over the navigable waterways in Bengal from the Irrigation Department and to function as a separate statutory body. One of the very cogent reasons advanced by the Committee for this separate organisation was the specialisation in dealing with vital problems of improving waterways in Bengal and especially the East Bengal. The late Government agreed with this view but the Waterways Act, although passed as far back as 1934, was not brought into operation because of the assurance which was given by the then Government that it would be brought into force only after the economic depression was over and also that it would do so after consulting commercial interests. A conference of commercial interests was very recently held at the Government House and the general consensus of opinion was to expedite the formation of the Waterways Board. But we have not yet been able to complete the full enquiry on this scheme and I would state the Government policy on the subject when the particular motion comes up for discussion.

The resuscitation of dead and dying rivers and prevention of floods are the vital problems of the province. They are, I may say, inter-related; I mean the solution of one would solve the other problems.

We have already commenced contour survey in certain areas and we have taken up further areas before we can come to a conclusion as to how we should tackle each along with the bigger problems that I have just mentioned and this Government are not unmindful of the needs of the districts and villages. I am already in touch with the local bodies for drawing up a list of irrigation needs of each district in order of urgency. The underlying idea is that a comprehensive scheme of smaller projects throughout the province should be made at the earliest possible opportunity. The question as to how these schemes should be financed will come up at a later stage. I need not worry the House with any further details concerning the variety of work this department has already undertaken. 'I think I have been able to set out a solution of the different problems. With these words I beg to move my motion.

**Dr. NALINAKSHA SANYAL:** May I rise on a point of order, Sir? The Hon'ble Minister in charge has moved for a demand for grant on several items lumped up together in which are mentioned "17—Irrigation—Working Expenses—18.—Other Revenue Expenditure financed from ordinary revenues—18 (1)—Other Revenue expenditure financed from Famine Relief Fund—19 Construction of Irrigation, Navigation, Embankment and Drainage works—B—Finance from Ordinary Revenues and 68.—Construction of Irrigation, Navigation, Embankment and Drainage works." I have found lumped up several provisions for these items as explained in the Explanatory Memorandum. I find that on page 12 under "18 (1).—Other Revenue Expenditure financed from Famine Relief Fund" no amount has been provided at all. Section 79(2) of the Government of India Act provides for certain demands on certain basis. Sub-section (2) says that "such expenses should come in the form of a demand for grant". So, if no expenditure is provided under a particular head, will it be in order to move any such item for which no amount has been provided?

**Mr. SPEAKER:** Technically speaking it should not be so, but you will realise that here all demands are grouped together under one head. If you move a particular item within a demand it will not be in order. The Minister in charge does move grant No. 6 under "the Motor Vehicles Tax." That would not be in order as there is no demand in that head, but under the existing practice "Irrigation" contains several items of both Capital and Revenue Expenditure of all kinds and so they have been lumped together.

**A Voice:** Some of them are interdependent too.

**Mr. DAVID HENDRY:** Mr. Speaker, Sir, by short notice I beg to move motion number 444 which stood in Mr. Hirtzel's name that the demand of Rs. 33,10,000 under "17—Irrigation—Working expenses" be reduced by Rs. 100 to call attention to the inadequate financial provision made for the Waterways Board.

Speaking for the European Group, I wish to make it very clear at the outset that we thoroughly approve of the objects and aims underlying the Bengal Waterways Act and the formation of the Waterways Board in Bengal. The chief objection we have had is that in the past, and, so far as we see, in the present, no adequate or suitable provision has been made for financing this Board. As the Hon'ble Minister has already informed us, the formation of the Waterways Board has been held up on account of two reasons; firstly on account of a promise made by Government in 1932 that the Act would not be put into operation so long as the trade depression continued; and, secondly that no action would be taken until the commercial and other interests concerned were fully consulted in the matter. The depression has now eased, and some consultation has been held with the interests which will be affected by the proposed Waterways Board, but it cannot be said even now that satisfactory assurances have been given by Government on the proposed financing of the new Board.

It is for this reason that we have pressed for the appointment of an expert committee to study and report upon the implications of the Act before it is put into operation. This the Government is evidently unable to do, but we would again counsel them to proceed with the greatest caution in view of the very real alarm felt by the river transport and other interests involved.

On estimates we have seen it should be possible to constitute the Board at the present time with money, staff and equipment already promised by Government without the need for additional taxation; but the appointment of a Board to carry on existing work without entering upon new schemes of development and improvement of the waterways offers no advantages whatever and it is obvious that sooner rather than later fresh taxation will be necessary. It is proposed to do this by levying a surcharge of one anna in the rupee on the freight and passenger rates of the inland steamer companies and by licensing country boats. Recent calculations have shown that the amount which could be expected to accrue from the steamer companies would be Rs. 14 lakhs per annum and from country boats Rs. 3 lakhs. Such a large imposition could not be met by the steamer companies or by the country boats out of their existing resources and the surcharge would almost inevitably have to be passed on to the users of steamers and country boats.

In the areas served by river transport over 80 per cent. of the traffic is in direct competition with the railways, and in view of the finely adjusted balance between railway and river rates any increase in river transport rates would divert a large proportion of the traffic to the railways which would in its turn have the effect of putting most of the river transport services out of operation with a corresponding diminution of the income of the Waterways Board. Moreover, the increased money which would be realised by the railways from fares and rates to protect the waterways transportation systems would be lost to Bengal as it would go straight to the Central Government. That, Sir, indicates what an expensive form of finance the proposed surcharge would be and the burden it would impose upon the commerce and industry of the province. If to preserve the present division of traffic between the waterways and the railways, the railway companies increased their rates by an amount equal to that to be raised from the steamer companies and country boats, i.e., Rs. 17 lakhs, then in order to raise Rs. 17 lakhs for the development of the waterways the commerce and industry of the province would be taxed to the extent of Rs. 34 lakhs which is a very expensive form of finance indeed. We do not wish to see the railway rates increased along with the steamer rates, but on the other hand we wish very strongly to see the steamer companies and country boats protected against unfair advantage being taken of them by the railway companies. That is a problem for an expert committee or an expert Board when it is formed, and we should like Government to assist them to this end.

One way by which the steamer companies in particular could possibly meet the additional charges which seem inevitable, would be to restrict the number of non-paying services which are at present being run by them. I was able to have a look at the list of non-paying services operated by one of the steamer companies recently, together with the cost involved in their operation and, the sums involved were very high. These steamer companies are not philanthropists, but are strictly business concerns, and, in running these non-paying routes, they hope that they will one day become paying services and that the bread cast upon the waters will return with interest. They are also run for carrying mails and for service to the general public. If these non-paying services are withdrawn, a great deal of hardship will be caused to the people of the countryside. The steamer companies also spend considerable amounts of money on conservancy and pilotage and I think it reasonable to suggest that the money which they are now spending on unremunerative services and on conservancy, etc., in itself represents a very large contribution towards the development of Bengal. A very anomalous position would, therefore, arise if the constitution of a Waterways Board and the imposition of a surcharge had as its immediate effect the withdrawing of these very large sums of money

which are at present already being spent on development. The ideal way of financing a Waterways Board would be from general funds though Government are firmly opposed to this method. Another means which has been suggested in the past, and which I think it is only right to mention here again, is that the Board could be financed partly by the money which is at present being paid to the Calcutta Improvement Trust out of the special export duty on jute. Nearly all the money raised by this special tax on jute is derived from the interior villages of Bengal who use the waterways. There has been a great deal of criticism in the past—criticism which I think we must agree is justified—against this raising of funds from the rural areas of Bengal for expenditure on the improvement of Calcutta. But the difficulty is that—and we are quite aware of it—so long as the Central Government guarantee the debt of the Calcutta Improvement Trust of 2½ crores of rupees, they will not agree to or even consider any diversion of the present income of the Calcutta Improvement Trust for any other purpose. But, Sir, I would like to ask that the Government of Bengal should keep in mind that if in a few years' time the Calcutta Improvement Trust is able to stand on its own feet—and we all know that its finances are improving considerably with the recent increase in the price of its lands—if such a happy time should arrive, the possibility of diverting this money which at present goes to the Calcutta Improvement Trust should be devoted to financing the Waterways Board. These are most of the remarks, Sir, which I wish to make on this subject, but I want to make one or two recommendations. I think I have shown or endeavoured to indicate that the problems before the Waterways Board would be very complex and very difficult to deal with, and, so far as I can see, some may be almost insoluble. That being so, Sir, I put forward this plea with all the strength at my command that if a Waterways Board is ultimately constituted, it should be as strong a Board as the present Government can possibly make it, and that, in particular, the Chairman of the Board should be a senior member of the Indian Civil Service, a person of mature experience and wisdom. The Chairman will have a great deal to do with the success or failure of the Waterways Board of Bengal, and the best man available should be selected. When this Board is constituted, it will under the Act have included in its composition representatives of the various interests involved—men who are intimately acquainted with the problems which will come before the Board. In the earlier years the Board, therefore, should function as an expert committee, and it should undertake no expensive schemes until it has given them the fullest consideration. In the budget this year a small allotment has been made for the Board; in fact I think a miserable allotment in view of the importance which the Board will ultimately have. In the present year the provision is at the rate of Rs. 2½ lakhs a year, or for this year, Rs. 1½ lakhs, but I submit that it is totally inadequate and is out of all proportion to the

importance of the waterways of Bengal. Therefore I would suggest that Government should agree to a minimum allotment of Rs. 5 lakhs a year and as much more as the Finance Minister can give out of the generosity of his heart.

In the Act itself, provision has been made for any scheme which costs more than a lakh of rupees to be submitted to Government for sanction before it is put into operation. I should like an assurance that any such scheme for which the money will be found by the steamer companies and by the country boats through their licence fees should be referred to those interests and that they should be consulted very fully before sanction is given to any expensive operations of the Board. And if this proposed Board is constituted on the lines I have suggested, and as strongly as I hope it will be, then we will give it our blessing, and I hope it will succeed in improving the waterways of Bengal in the way we desire.

**Maulvi TAMIZUDDIN KHAN:** Mr. Speaker, Sir, I rise to give my support to the motion that has just been moved but on different grounds. Sir, I was a party to the legislation that was passed in 1934, viz., the Waterways Act. I am, therefore, not against the formation of a Waterways Board—at least I was not so in 1934—but I think that certain different considerations have arisen since then, and these deserve the considerations of this House as well as of our Government. The Act was passed during the old regime. We know, Sir, that at that time the strength of the Cabinet was only seven, i.e., there were only seven members in the Cabinet then; whereas at present we have as many as eleven Ministers in the Cabinet. The question now, therefore, is whether this department can be worked by the Minister in charge himself instead of a separate Board. Nowadays it is almost a fashion to form a Board for the administration of a particular department, and in certain instances, such Boards have no doubt functioned successfully. Reference is very often made to the Calcutta Improvement Trust; that has certainly been functioning successfully. But that is no reason why a Board should be constituted on every occasion. Sir, if this principle is followed to the utmost limit, in that case there will be very little work left for the Hon'ble Ministers themselves. A Board can be formed for carrying on the work of every one of the departments now administered by the Ministers. I think everything should have a limit. I do not say now that I am against the formation of a Board, but an investigation whether the work that is proposed to be done by the Board can be done departmentally by Government should first of all be made. If that can be done, a good deal of money can be saved. I think a sum of about Rs. 80,000 is proposed to be spent annually on account of the staff of the prospective Board. A good deal of this money can be saved if the work can be done departmentally. What

I propose now is only that some time may be taken by Government, and during this time this aspect of the question may be thoroughly investigated. Again, Sir, there is the question of taxation under this measure. I am afraid that most members of this House have not yet thoroughly read the provisions of the Waterways Act, and, therefore, they are not aware of the implications of the taxation proposals contained therein. Members will, probably like to study the pros and cons of these taxation proposals so that they may be satisfied in their minds that those proposals are justified. That also will require some time—for the members for considering this aspect of the matter. So far as the constitution of this Board is concerned the principal object will be the maintenance of the waterways of Bengal in a good condition for the purpose of navigation and also the opening up of new channels for the purpose of navigation. That being so, Sir, the steamer companies can hardly have any objection to the formation of a Board like this. It has been said that there is a proposal in the Act for taxing the steamer companies, and a sum of 14 lakhs of rupees is expected to be realized from the steamer companies, the proposal being that a levy of one anna should be assessed per rupee on freights as well as on passenger fares. To my mind, Sir, that does not seem to be very high, but there is one thing which should be considered, namely, that the ultimate incidence of this taxation will fall on the passengers and the persons who despatch the goods. I am not against all proposals for taxation. People very often say that we have reached the limit of taxation, and that there is no further scope for any more taxation. I do not at all agree with that view. There is a very large scope for taxation so far as the rich people of our country are concerned. Therefore although indirectly the poor people will be affected by this taxation measure, I am not against it. I am surprised at the objection that has been raised on behalf of the steamer companies against this proposed taxation. They will no doubt have to pay something; but I think as the maintenance of these water channels will be mainly for the purpose of navigation the return that the steamer companies will get will far outweigh the disadvantages of paying of a small tax.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**  
 Sir, I may be permitted to intervene in this debate at this stage and to state on behalf of Government the policy which they intend to follow with regard to the formation of the Board. As has already been said by the previous speaker, there is a sense in this House that the Act should be looked into more thoroughly by the members of this Legislature and that in deference to their wishes and for the fact that Government would like to take up further enquiry on the question and settle up other details before they come up with their proposal regarding the formation of the Board, we have decided to postpone the formation of the Board. Under these circumstances, I hope my friend the mover would be kind enough to withdraw his motion.

**Rai HARENDRA NATH CHAUDHURI:** On a point of order, Sir. Are we to understand that we have to vote the whole demand even though the Board may not be formed this year?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** May I point out, Sir, that the position is that the whole demand has been made under a specific motion and there are only token cuts in order to discuss the advisability or otherwise of forming the Board? The Government policy is to go on with further enquiries and not to take up the question of the formation of the Board till enquiries are completed. So I submit there is no point in the objection raised.

**Mr. SPEAKER:** I think Mr. Chaudhuri you will understand that the Hon'ble Minister has said that he has postponed the measure but he has not said that it has been postponed till next year. I take it that by postponement he means merely postponement for the present and that, if necessary, it might be taken up in the course of the year.

**Rai HARENDRA NATH CHAUDHURI:** The Hon'ble Minister should declare that he is going to take up the formation of the Waterways Board within this year.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Till certain enquiries are completed.

**Rai HARENDRA NATH CHAUDHURI:** When will this enquiry be completed?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It may be one month or two months, but it cannot be said definitely.

**Mr. DAVID HENDRY:** Sir, in view of the assurance given by the Hon'ble Minister, I should like to withdraw my motion.

The motion was, then, by leave of the House, withdrawn.

**A member:** The Hon'ble Minister in charge has been pleased to say that the question of the formation of the Board has been postponed till the enquiries are completed. Can we know whether after completion of the enquiries he will inform the House as to the steps he is going to take and whether he will take the consent of the House?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** In any case the House will have an opportunity of giving its opinion on the subject in the next budget.

**Mr. PRAMATHA NATH BANERJEE:** I beg to move that the demand of Rs. 33,10,000 for expenditure under the heads "XVII—Irrigation—Working Expenses—18—Other, Revenue Expenditure financed from Ordinary Revenues—18(1)—Other Revenue Expenditure financed from Famine Relief Fund—19—Construction of Irrigation, Navigation, Embankment and Drainage Works—B—Financed from Ordinary Revenues and 68—Construction of Irrigation, Navigation, Embankment and Drainage Works" be reduced by Rs. 100.

The Irrigation Department which has come to my honourable friend the Maharaja of Kasimbazar is a very happy department. It is a department which has immortalised most of our rulers. We have first of all the Ronaldshay dredger. I was reading the other night one of the speeches of Mr. Azizul Haque as he then was and I discovered that an insignificant sum of Rs. 64 lakhs was spent on the Ronaldshay dredger: quite rightly because the Ronaldshay star is still on the ascendant. Then we had the Anderson weir. The Anderson weir has cost this province Rs. 4,60,000. Then we have had the Cowley and Burdwan dredgers which the Hon'ble Minister in charge of Irrigation Department is now very anxious to sell. And fast and not the least we have had the instance of the Bijoy cut. As far as this department is concerned, I see it presents a budget which is an enigma and is full of mysticism to anybody in this House. The long speech of the Hon'ble Maharaja did not throw much light on the manner and the method of keeping accounts in present budget.

My two motions relate to certain distress in local areas and therefore the question may be raised that they raise questions of local importance and the valuable time of the House should not be wasted. Sir, in 42 hours time allotted to the budget, we shall from this side of the House vote away 12,50 lakhs of the tax-payers' money and at that rate we shall vote away Rs. 50,000 every minute, and the two schemes merely cover an item of Rs. 6 lakhs. Therefore in all humility, I shall ask you for your indulgence and the patience of the House for granting me the mathematical period of at least 12 minutes: Six lakhs divided by 50,000 gives me exactly 12 minutes—.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Six lakhs divided by 50 is not equal to 12 minutes.

**Mr. PRAMATHA NATH BANERJEE:** Mr. Suhrawardy is a great mathematician like myself.

The Damodar Project was first initiated in 1927 by the Maharaja of Burdwan just for the purpose of supplying water to the area under irrigation and for the purpose of prevention of malaria. So this canal had a double object, namely, irrigation and sanitation. In 1932, a part of the canal was completed and the canal was to cover an area of 300

miles long and it was to cover a large stretch of 1,34,000 acres of land and 300 villages. We had been told that when the canal was completed an Eldorado would come into being and the water of the canal would divide and distribute liquid gold all round. Well, Sir, that expectation has been falsified. In 1935, the canal was taken out of the operation of the Irrigation Act, quite an ancient institution and an ancient statute which has been in operation for the last half a century and then this area was placed under a statute known as the Bengal Development Act of 1935 by an expiring Parliament. My friend the Hon'ble Mr. Nausher Ali who was strongly opposed to the passage of the Act at that time described it as a "Long Parliament". In this Assembly I have come to discover Colonel Pride and Protector Cromwell. I hope these two historical parts will be taken up by the Hon'ble the Minister in charge of Irrigation and the Honourable Chief Minister, respectively.

The second opponent of the measure was my honourable friend Nawab Musharruf Hossain who described the Development Act as the first offspring of an important member of the Indian Civil Service about whose wisdom and experience I heard my friends of the European group of singing dithyramb. Nawab Musharruf Hossain in his inimitable language objected to two things. He objected to the putative character of the Act and his second objection was to the rate of the levy which was to be charged upon the "fortunate" people who were to reside by the Eldorado. He said that the rate fixed per acre, viz., Rs. 5-8 which was the maximum under the Act might just as well be considered as the minimum. Therefore according to his mathematics in which he is entitled to claim greater knowledge than the Hon'ble Mr. Suhrawardy, the maximum became equivalent to the minimum so that the playfair's axiom in Geometry here came to true. Sir, on the treasury benches so there were practically two dissentients of the measure: there were also other dissentients in the old council.

Sir, the rate of levy which the Hon'ble Khwaja Sir Nazimuddin vehemently denied before the old council as a tax (I have not been able to understand the distinction between tax and levy) was Rs. 5-8 per acre as the maximum. The result is that the poor tenants are groaning absolutely under the weight of this tax. The position when the levy was imposed was very different from the position to-day. At that time this canal project cost the Government of Bengal a small sum of Rs. 124 lakhs. The Government in those days were not in affluent circumstances—I will not say "insolvent" because no Government become bankrupt—and the Government of Bengal with the sanction of the Government of India raised a loan at a high rate of interest, viz., 6 per cent. On that basis it was calculated that Rs. 5½ lakhs must be raised from the area concerned in order to liquidate the interest charges and to meet the capital raised on account of the project.

Now a good fairy came to this land prior to the inauguration of Provincial Autonomy in this province, that is, Sir Otto Neimeyer. His report has enabled Bengal to liquidate all these obligations to the Government of India with certain exceptions and so far as the capital which was borrowed from the Government of India and the interest charges on that capital are concerned they have been wiped off. Therefore the plain position to-day is that under section 12 of the Bengal Development Act the people of the locality are bound to pay levy for meeting the maintenance, the establishment and the repair charges of the canal area only.

If you look at the White Paper Sir,—we have so many colours in the Irrigation Department; I like the colour white it is the emblem of simplicity and truth and there is the green which is the emblem of Islam and you have the earthly colour representing no doubt the silt which is fertilising the Damodar area to-day—you will find that the Government have classified the revenue from this head as “productive” and Government are making a net profit of Rs. 3,37,000 on this account. If the Hon’ble Finance Minister and the Hon’ble Minister in charge of Irrigation are pleased to listen to the distress of the people of this area then this sum of Rs. 3,37,000 might just as well be levied from them and then the rate of levy at Rs. 5-8 per acre will come down to Rs. 1-8 per acre. I see the Hon’ble Minister for Irrigation is shaking his head violently. I am told that the Hon’ble Minister for Irrigation and the Hon’ble Minister for Land Revenue have extensive zemindaries in that area and I am sure they are following the report of Lord Cornwallis in 1793 and are trying to pose themselves as friends of the tenantry, as landlords of the improved British type.

Mr. Speaker, Sir, the position then is this, that it is not necessary even for the fiscal purposes to continue this levy at the rate of Rs. 5-8 on this canal area. My friend the Hon’ble Irrigation Minister talked about another survey—the talk of survey in that area strikes terror into the heart of the tenantry—and that survey will connect the Eden canal area with the Damodar canal area. I know, Sir, that this survey will cost, according to the budget of the Hon’ble Minister, Irrigation, 23 thousand rupees, and how is this amount going to be distributed? Well, for the survey officers, their furniture and their camp equipment, out of Rs. 23,000 a small sum of Rs. 7,500 must be spent. The furniture and the camp equipment, I am sure, will fertilise the area between the Damodar canal and the Eden canal. (Hon’ble Mr. H. S. SUHRAWARDY: and the palm tree.) My friend talks about the palm tree. The palm tree is a native of Arabia where he ought to go.

Mr. Speaker, so far then as this question is concerned I maintain with all the emphasis that I can command that it is an intolerable burden upon the tenantry in that area. It is not a local question.

merely because Mr. Townsend whom I characterized as the putative father of the Development Act of 1935, in a communique issued before he left these shores said that the Damodar canal area is the testing ground for the whole of Bengal, and if it is a testing ground for the whole of Bengal, I submit, Sir, that that question should receive very anxious consideration from the Government. What I submit, Sir, is this that this area should be surveyed, the grievances of the tenantry should be very carefully assessed and for that purpose I am inviting the Hon'ble Minister in charge of Irrigation and the Hon'ble Minister in charge of Land Revenue, who as I have said, have extensive zemindaries in that area, along with Moslem and Hindu representatives of the Legislative Assembly (Hon'ble Mr. A. K. FAZLUL HUQ: Invite me) in association with the leaders of thought and action in that area, to come to a sort of a constructive programme about the working of the Bengal Development Act.

I heard the Hon'ble Chief Minister say he wants an invitation. I thought my function as a Brahmin only entitled me to receive an invitation from the Hon'ble Chief Minister.

Sir, we on this side of the House are in favour of constituent assembly and the other side is in favour of round table conferences, but let us have not a constituent assembly nor a round table conference but a tour of inspection by the members on this side of the House and the Hon'ble Chief Minister and the Hon'ble Minister in charge from the Treasury Benches. I recall with gratitude that four annas in the rupee has been remitted by the Hon'ble Minister in charge of Irrigation but that remission is not adequate and I appeal to the Hon'ble Chief Minister and the Hon'ble Minister for Irrigation to do something to alleviate the real distress of the people of that area.

**The Hon'ble Mr. H. S. SUHRAWARDY:** On a point of personal explanation, Sir. I was and I am still of the belief that palm trees do grow in Bengal. If my friend is not aware that palm trees do grow in Bengal, instead of my going to Arabia, may I advise my friend to travel some parts of Bengal before he talks about the conditions of the country?

**Mr. JOGESH CHANDRA GUPTA:** Sir, has not the Hon'ble Minister only wasted the time of the House? (A VOICE: "and money.")

**Mr. SPEAKER:** I am afraid Mr. Suhrawardy has wasted two minutes' time of the House.

I have got about six or seven names of members who want to speak. I propose to follow the order and I think it will be convenient if the members avoid rising up except in the following order:—

Maharaj Kumar of Burdwan.

Mr. Jasimuddin Ahmed.

Mr. Banku Behari Mandal.

Mr. Maqbul Hosain.

Mr. Adwaita Kumar Majhi.

Dr. Sanaullah.

#### Maharajkumar UDAY CHAND MAHTA.

glad to avail myself of the opportunity for the discussion of the Irrigation budget and to make certain observations regarding the distress of the people in the Damodar Canal area. My friend, Mr. Pramath Nath Banerjee, has so ably put the case before the House and quoted most of the statistics that I was going to quote myself that I do not propose to waste the time of the members of this House by repeating what he has said. But that does not mean that I will allow the opportunity to slip through without saying a few things about the levy charged in that area from the cultivators. Sir, under the Bengal Development Act of 1935, a levy of Rs. 5-8 per acre is charged from the cultivators and I am sure that my friend the Irrigation Minister knows, as well as many others of this House, that there has been a great deal of agitation and a great deal of hardship due to the levy of Rs. 5-8 per acre. I myself presided at one of the meetings at the Burdwan Town Hall on the 1st of March, the proceedings of which were sent to the then Divisional Commissioner as well as to the Member in charge of the Irrigation Department, but I am afraid at least no apparent action seems to have been taken in the matter. Then again I think it was on the 14th June that the Honourable the Irrigation Minister received a deputation from Burdwan regarding the imposition of this tax or levy, as my friend Mr. Banerjee has called it. I had a talk with the Honourable the Irrigation Minister and I understand that Government is proposing to show certain concessions to the people for paying up their arrear dues but may I point out that although Government may consider to give concession to the people regarding arrear dues, the actual trouble, namely, the levy at Rs. 5-8 per acre still remains there, and this is a matter which the Honourable Minister should take up and whether he reduces it Re. 1-8 per acre, as suggested by Mr. Banerjee, or whether he assesses it at any other rate he should do so after personally visiting the place and looking into the matter carefully and meeting people and hearing their grievances.

direct. Sir, as there are many other speakers, after this I do not propose to waste much of the time of the House, but I would suggest that regarding the arrears which are due to Government at least half of the arrears should be remitted and time given for the people to pay up the remaining half and when reassessments are made I would suggest that they are made in such a way as only the actual working expenses of the Canal are charged from the people. I know that Government do not propose to make a gift of the Canal to us and I am not a party to the idea of people not paying any taxes, but the taxes should be fixed at such a figure that it would be easily possible for the cultivators to pay without any hardship and lastly, I would suggest that any further extension to the Damodar Canal should not be taken up until proper enquiry is made and the present question of levy has been settled. I think that the best possible thing would be if my friend the Honourable the Irrigation Minister would at his earliest convenience visit the area personally, hear the grievances direct from the people and try to come to some sort of understanding so that their grievances may be removed. We want the Canal, we want water, but we are not prepared to pay an exorbitant rate of taxation which is already impossible for the cultivators to pay. With these few words, Sir, I support the motion of my friend Mr. Banerjee.

**Mr. BANKU BEHARI MANDAL:** Mr. Speaker, Sir, I fully support the cut motion of my honourable friend, Mr. Pramatha Nath Banerjee. Sir, the oppression of the certificate officials in the matter of realization of rent of the Canal has become so terrible that the Damodar Canal has now become a menace to the people of Burdwan. For the severity with which the Canal dues are realized by the certificate officials the Canal has become a horror to the people of the canal area. Meetings after meetings were held in different villages by the cultivators and agitations were made in the newspapers almost every-day but in vain. It did not reach the ears of our Government. When the Canal was excavated people had high hopes of their future prosperity but now it has become a dread. When there is a talk of extension of this Canal to the other areas of this district, the people instead of welcoming it look at it with horror and dismay. Now, Sir, there are certain defects of this canal tax. Whether the lands are irrigated or not, whether the cultivator takes water or not for his land, or whether there is necessity of water for his land or not, the cultivator has to pay his tax. Sir, if there be no sufficient rainfall there is less water in the Damodar river and the canal authorities cannot supply canal water to the whole of the canal area in time, i.e., in the proper time of cultivation, but the tax is realised.

The tax is so heavy and excessive that it has become impossible for the people to pay. For this tax, the canal instead of being a blessing

to the people it has become a source of evil. The Bengal Development tax has added insult to the injury. A cultivator has to pay about Rs. 2 per bigha as tax for his land, i.e., double the rent he pays to his landlord as the average rent per bigha is one rupee or one rupee two annas. The assessment of the tax is based on a false ground. The Government official view is that 50 per cent. of the arability of the land has been improved by canal water and that no manure is necessary as the canal water bears sufficient manure with it. I must say, Sir, that it is a false idea. The arability of the land has not been improved. Government fails to take note that the price of paddy is very low. The cultivator now finds that his position has now become worse for the heavy canal taxes he has to pay. We hope, Sir, that the Hon'ble Minister in charge of the Irrigation Department should consider the case of the cultivators of Burdwan and reduce the tax. The interest and loan charges have been written off by Neimeyer report. Under section 12 of the Bengal Development Act, 1935, Government is now entitled to the maintenance cost and supervision cost of the Canal for which now the sum of Rs. 2,37,000 has been set apart.

As regards Eden Canal, under Act, 1933, this canal has no separate existence and increased rate at Rs. 3-8 and Rs. 4-8 have been levied on the assurance of the supply of water from the Damodar Canal. But the Damodar Canal cannot supply water; so increased rate cannot be charged and the old rate of Rs. 1-8 per acre should be levied.

Sir, the cultivators are not in a position to pay this heavy tax. If they have to pay this tax to the Government as well as to the zemindars, they will scarcely have anything for their family expenses. Under the circumstances, Government should extend the time for the payment of arrear taxes. It is impossible for them to pay this arrear tax within the month of September; if Government do not extend the time, it will be very difficult for the cultivators to pay. As regards the Committee of Enquiry, I should say that it should be formed of non-officials with some members of the Cabinet and in the meantime the time should be extended.

With these words I beg to support the motion of Mr. Pramatha Nath Bannerjee.

**AI-Haj Maulana Dr. SANAUULLAH:** Mr. Speaker, Sir, being on this side of the House I do not propose to criticise the action of the Government but I rise to support the cut motion of Mr. Banerjee on different grounds. I would like to draw the attention of Government to a few patent facts. The fact is that the attention of Government is naturally concentrated towards the works of irrigation in western Bengal and I think they take very little care of eastern Bengal. Sir, last year I submitted an application to the then Hon'ble Member in

charge of Irrigation for the re-excavation of the dead river Dhurang in the north-eastern part of Chittagong and also for straightening the zig zag course of the river Halda in that part of the district. But unfortunately that application was mislaid by the then Hon'ble Member in charge of the Department in the midst of his volumes of papers. So through no fault of ours we have been deprived of the immediate action of the department. Now this year again we have submitted an application signed by about a thousand people of the district concerned for taking immediate action for the re-excavation of the dead river Dhurang and straightening of the zig zag course of the river Halda which cause periodical floods and consequent loss of property and lives. The recent flood in Chittagong, of which I have given a short-notice question also, was a direct result of these two rivers and I find that Government is so callous in this direction that though I handed over the question to the department on the 25th of this month yet up till now we have not been favoured with a reply.

**MR. SPEAKER:** Order, order. I think that before you make any remark I would like to draw your attention to the fact that if you have any such important question to be answered you should give earlier notice of an ordinary question and not a short-notice question. I hope you will realise the difficulty of dealing with a short-notice question as it concerns the Assembly Department too. In view of the circumstances, I hope you will take this fact into consideration.

**AI-HAJ MAULANA DR. SANALLAH:** I bow down to your ruling but I would like to remind the Government that this being a matter of great public importance some of my colleagues coming from Chittagong even suggested to me to move an adjournment motion because the people are dying of starvation and pestilence. I think telegraphic communication is not held up owing to this flood. If Government are sympathetic, they could get the necessary information from the district authorities by this time. It is a matter of great pity for us, specially members of Chittagong concerned to sit tight here when thousands of our countrymen are suffering from starvation and epidemic. With these few words I again draw the attention of the Hon'ble Minister concerned to take immediate action on these two minor projects.

**MR. ADWAITA KUMAR MAJI:** (Spoke in Bengali in support of the motion of Mr. Pramatha Nath Banerjee.)

**MR. MAQBUL HOSSAIN:** (Spoke in Bengali of which the following is an English translation):—

Mr. Speaker, Sir, the amount assigned for Irrigation, Navigation, Embankment and Drainage works in this year's budget is extremely

insufficient and insignificant for a vast province like Bengal. Innumerable rivers and waterways of Bengal are dying or dead. They are badly in need of reclamation. Moreover quite a large number of bunds are required for protecting the people against flood.

I am extremely disappointed that no expenses under this head have been earmarked in the budget for our district of Tippera. Is there no necessity for incurring such expenditure in the District of Tippera? I want information on this point.

Since the very beginning of British rule breaches have been occurring annually in the bund of the river Gumti. Formerly, the responsibility for preserving this bund lay with the Maharaja of Tippera. But as a result of the resolution moved in the Legislative Council in 1917 by S<sub>r</sub>. Amiya Chandra Dutt, Government took over the charge of the bund in 1920. Every year Government levies a tax for the bund from the Maharaja of Tippera but no repair has yet been done to it.

In reply to the question put by S<sub>r</sub>. Dharendra Nath Dutt during the present session of the Assembly, Government stated that no repair would be undertaken in the bund to the north of Comilla as it would cause damage to the district. What I want to ask is that, are lakhs of peasants and inhabitants of Tippera to suffer for the benefit of a handful of individuals of Comilla?

In 1884, the bund to the north of the Gumti river having broken, the flood that ensued killed thousands of men and women. The Official Report put the number of deaths at 700. There was a terrible outbreak of famine in the Gumti region. The Report of the Abhay Ram of Comilla showed that crops worth 30 lakhs of rupees had been damaged in 1929 as a result of the flood due to the breach in the bund to the north of the Gumti river. While the Report of the Government estimated the damage at 25 lakhs of rupees only.

The breach in the bund of the Gumti resulted in flooding the entire area under the Burichang and Debidwar police-stations. Some portions of the Kasba, Nabinagar, Muradnagar and Kotwali police-stations were also affected. More than 5 lakhs of men and women belonging to the said police-stations in Comilla suffered from the effects of the flood.

I next proceed to give some account of the Titas river in the Brahmanbaria subdivision of my own district. The Titas river provides the only communication for boats in the Brahmanbaria subdivision. Akhaura in East Bengal is a famous centre of jute business. Lakhs of maunds of jute are imported here every year. The Titas river between Akhaura and Ujanisar, a distance of about 5 miles, has been affected by the formation of a char—to the great inconvenience of communication. In addition to this the obstruction to passage of water caused by char

land in Hill Tippera and Assam regions leads to the accumulation of water in the eastern part of Akhaura, and crops are damaged almost every year.

Owing to floods, and inundation and damage of agricultural produce every year, Tippera has turned into a playground of famine. Under the pressure of wants and privation thousands of peasants in Tippera are quitting their native country and migrating to the wilds and jungles of Assam in a most penurious and helpless condition. To-day, Tippera is going to be converted into a depopulated district. With reference to these matters resolutions were adopted last year in the presence of the present Prime Minister of Bengal (the Hon'ble Mr. Fazlul Huq), at the Comilla session of the Tippera District Peasant's Conference and the Kharāmpūr session of the District Co-operative Debtor's Conference. He was not then in the office of the Prime Minister. "If I can ever find a place in the cabinet," said he "I will solve all these problems".

(The member, having reached the time-limit, resumed his seat.)

**Maulvi ABUL HASHIM:** Mr. Speaker, Sir, Mr. Townend, the then Rural Development Commissioner, Bengal, in his Pamphlet on the Damodar Canal and the Land Development Act, says with regard to the Damodar Canal agitation that persons who have been most vocal are politicians coming from Calcutta and its neighbourhood and consistently opposed to everything done by Government. At the very outset, Sir, I would like to tell the House that I neither come from Calcutta or its neighbourhood, nor do I belong to that group which is consistently opposed to anything and everything done by Government. After what has been said by my honourable friend the mover of the motion, Mr. Pramatha Nath Banerjee, and the Maharaj Kumar of Burdwan, I do not think that I have got anything more to say to strengthen the case. I would like to draw the attention of this House to only one point. The entire idea of this Damodar Canal, as already pointed out by the mover of the motion, is irrigation and sanitation. For sanitation it is necessary that the Damodar Canal must be in a position to serve these two purposes, viz., drainage and flushing. But so far as these two things are concerned, I think, Sir, I shall not be contradicted if I say that the Damodar Canal completely fails, and, therefore, 50 per cent. of the benefits that we expected from the Canal we are not getting now. As regards irrigation, I may state that the Burdwan district has rice as its main crop, and, Sir, for the proper growth and cultivation of rice 60 inches of rain is necessary. Normally, in the Burdwan Canal Area there is a rainfall of 59 inches and several points. And so from this it appears, and also from our experience of the past few years it appears, that during normal rainfall the Damodar Canal is more or less useless; during abnormal rainfall the Canal is

positively harmful; and, during drought it is useful provided it can supply as much water as is necessary for the proper cultivation of paddy. The Damodar river is not a navigable river; it is a hill-fed river; and as such it cannot supply water unless there is heavy rainfall in the Hazaribagh and in the Nilgiri areas. It has been our experience that during periods of drought the Damodar Canal, as it is worked now, cannot supply water as and when it is needed. Therefore, it is our considered opinion that the Damodar Canal is a colossal failure. It is said that a very large amount, viz., 1 crore and 24 lakhs, has been spent in constructing this canal, but this should be no reason why Burdwan, particularly the area covered by the Damodar Canal Area, should be saddled with this heavy taxation, just to realize the money that Government have spent on it. We have got, Sir, various other arguments which we can put forward in favour of taking away the Damodar Canal Area from the operation of the Development Act. But, at the present moment I am not going so far as that. A few demands have already been put forward by previous speakers coming from the district of Burdwan. One of these demands is that 50 per cent. of the arrear rent should now be remitted. Now, Sir, I think there is good justification for this demand. We are, of course, grateful to Government for remitting 25 per cent. now. The second demand is that since the Niemeyer Settlement has settled the financial difficulties of the Government of Bengal, the Government will be pleased to realise from the Damodar Canal Area just that much money which they have to spend for keeping and maintaining this Canal. An idea is being spread amongst our Eastern Bengal friends that if Government accept our proposals, then it would mean that the sum of one crore and 24 lakhs, the money which has been spent on the Damodar Canal from the revenues of Bengal, will be a gift to the people of the Burdwan district. At the very beginning I have stated, Sir, that we do not think that so much money spent over the Canal will do the desired good. I may go further, Sir, and say that this money has been mis-spent and wasted, for which the district of Burdwan or any other district cannot be held responsible. However, Sir, —

The member having reached the time-limit, resumed his seat.

**Mr. B. MUKHERJEE:** (Spoke in Bengali in support of the motion of Mr. Pramatha Nath Banerjee.)

**Mr. F. C. BRASHER:** In rising to speak on behalf of the European group I feel that I am a voice crying in the wilderness created by the Damodar Canal because I am the first speaker who has risen to oppose this motion. Might I say, Sir, that in the first place I have been listening in a spirit of what I trust is patient enquiry. So far as

written evidence is concerned we have been able to see what has been written in the various newspapers on the one side and what has been said in the statement issued by the Rural Development Commissioner on the other side, as to the value or otherwise of the measure. We have to consider whether or not the arguments which have been put forward in favour of the proposed cut have been adequately met or whether the facts which have been given by Government show that these arguments are not sufficient to weigh the balance in favour of the motion. I would submit to the House that the criticisms which we have heard to-day as regards the utility of the canal do not in any way meet the statements which have been made on behalf of Government as to the benefit which has been and is being conferred. While I am on this point I would like to point out that my honourable friend Mr. Abul Hashim told the House that Burdwan does not require the canal. He says that in fact the canal has only been of use in exceptional cases, that is to say drought. The last drought, I believe, was in the year 1935 when I happened to be in the Burdwan district and when I was very much struck by the possibilities which would have existed in the ordinary course of events of averting the drought and the consequent very serious distress and damage had the canal been completed 3 or 4 years earlier.

My hon'ble friend the Maharaj Kumar of Burdwan said that Burdwan certainly wished to have the canal and made the point that the real grievance was as regards the levy imposed under the Rural Development Act. Might I point out that the grievance is one which was specifically dealt with by the Rural Development Commissioner at page 17 of his report. In order to save time I would summarise what he said: that under section 10(6) of the Act the whole of the area served by the canal is subject to a uniform rate of levy, viz., Rs. 5-8 per acre. He also goes on to say that he does not consider that that is a fair method of assessment. He says that some lands benefit less than other lands and suggests that while Government should have the right to impose a rate producing say an average of Rs. 5-8, the amount actually imposed in each particular instance should be subject to variation. That I think is a reasonable suggestion and one that I would like to submit for the consideration of the Government. But, Sir, I think that in discussing this motion to-day we have taken a narrow view. We have been discussing the Damodar canal but we have not considered the wider implications involved in any resolution to reduce the grant under this head. There are vast areas in Bengal at the present time which are described as decadent or decaying areas and which, so far as one can see will, in the ordinary course of events, increase in size and poverty as time goes on. That is not a state of affairs which any member of the House or any party in the House can possibly accept. It is our bounden duty to see what we can do

to bring about improvement in these areas, and it seems to me that if we accept the position that any measure of irrigation is going to be attacked because it imposes a burden upon the people of any particular locality or, and, I trust, I am not being unfair in so submitting, because it is the Government which has done something to benefit the people of the locality, then we are taking a wrong and narrow view. It seems to me that on irrigation, little as I know about it, depends to a large extent the salvation of vast areas of Bengal. I therefore oppose the motion.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**

As has been said by the honourable mover I admit the complicated nature of the accounts which he has found some difficulty to follow in the budget which has been presented before the House. But whatever that may be, leaving out the complicated portion, I am sure the members will easily be able to find out that Government do not propose to make any profit out of the receipts from the Damodar canal area. The figure which the mover has quoted possibly has left out of account the money which has been remitted as a result of the Neimeyer report. Now, Sir, it has been urged that as the entire amount which was spent over the Damodar canal area has been remitted, we should not take into consideration that amount when calculating the rate for the levy. I may point out that the amount which was remitted was remitted for the province as a whole and it is for the House to decide if they would like to allocate a portion of the amount for the excavation of the canal in a certain district. It may be that in this particular case the capital amount seems to have been paid off, I should say, by mere luck, but we should not forget that in any future scheme we will have to take into consideration the capital as well as the interest charges for any such project.

It has been stated in the report of Mr. Townend which I consider to be a very valuable report (hear, hear from the Congress benches) that this measure is an experiment upon which depends other future projects.

**Mr. PRAMATHA NATH BANERJEE:** Save us from them.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**

If my friend want to be saved I am prepared for it. If the House think that there is no need for improving the condition of rivers and waterways, and there is no need to spend money for any projects or schemes—if that is the verdict of the House, I will be compelled to accept it. But I am sure that is not the view of the House as a whole. The principle of the levy as contained in the Act is that after some improvements are made, Government claims half of the actual increase.

That is the limit. In this particular case of the Damodar Canal, the House fixed the limit to Rs. 5-8 per acre. So even when the profit is more Government cannot claim more than Rs. 5-8 per acre. Now, Sir, is there any difference of opinion as to the principle of the Act? Suppose there is an increase of Rs. 11—an increase of productivity per acre from existing conditions; certainly, Sir, nobody should grudge to pay half of that.

Next comes the question of assessment. I know much has been said about a fair and equitable assessment. Sir, with regard to this Damodar canal area I may say that there are many difficulties which stood in the way of the pre-canal assessment. But I may say with all the emphasis that I can command that Government did their best to depute the most experienced officers of the Revenue Department who knew how to deal with these matters; and they thoroughly went into the question from the materials available and then came to a conclusion.

Then with regard to the Damodar canal assessment I may say that it is liable to be revised, according to the Development Act, after two years; so if need be we can certainly revise the assessment and re-classify the areas taking into consideration the existing circumstances, but we cannot go back to the pre-canal area nor can we visualize the pre-canal condition. That is the position, Sir, I quite admit that the scheme does not provide for any water in September: that is a defect of the scheme and to remedy this defect we have undertaken another scheme which, when completed, will remove that defect. Sir, it has been stated that the Damodar canal has not benefited the area. I should say that from the facts and materials which I have gone through there can be no doubt that there has been some improvement, but as regards the amount of this improvement and the degree of the benefit which has been derived there might be some difference of opinion. But certainly, Sir, as has been said by one of the honourable members, the canal is not a menage to Burdwan. Sir, ever since I had the privilege of assuming charge of the Department I have heard about this agitation in the canal area and I may say that I have been most anxiously following the trend of events and also getting facts and figures from the local officers to understand the real state of affairs. Sir, it has been said why I did not visit the area, I had fixed a date actually to visit the area but very unfortunately I fell ill. Immediately after coming down from Darjeeling I received a deputation in Calcutta to discuss the matter and to know first hand the real grievances of the people of the locality (DR. NALINAKSHA SANYAL: nominated deputationists?). My friend, Dr. Sanyal, said that they were nominated deputationists: Sir, I admit that I received this offer of deputation from the Collector of Burdwan. I do not know if they were nominated or not. But may I ask what my friend and the

friends of the cultivators were doing? Did they ever approach me to give me first-hand information about their grievances? Did any of them ask me that my presence was immediately necessary? I was prepared to go even without their request and see things for myself, but it was the unfortunate illness that overtook me and I was not able to do so.

Sir, it is true that in Bengal it is not in every year that you want your lands to be irrigated by canal water, but I believe there is difference of opinion there too. Sir, the ordinary people when they get rain water they do not want the canal water, but for a big project compulsion has to be introduced. There might be years when they might not have sufficient rains and might urgently require canal water. Taking the average, Sir, and taking also into consideration the effect of canal water on land apart from the effect of rain water I should say that the scheme has not been given sufficient time to see what the result is.

Sir, I think I have met most of the points that have been raised by the honourable members of the House. I do not think I should go into the other matters such as excavation of the Dhorung or the Teetas river which have been raised by certain members. Sir, as my time is up I am afraid I cannot discuss some other points which have been raised during the course of this debate. I will only declare the decision of Government on this matter. Sir, we have decided to appoint a Committee of enquiry with the Hon'ble the Chief Minister as its president to go into the question in all its aspects and submit a report at the earliest opportunity.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, my esteemed friend Nawab Musharruff Hossain has taught me that it is a very unwise policy to often provoke one's antagonist, and I am not therefore going to face such a formidable opponent as Mr. Pramatha Nath Banerjee. I am free to admit that enquiry has shown that there is a very widespread feeling about the distress of the people in the Damodar canal and the Eden canal areas due to the operation of the Bengal Development Act. Sir, I have received representations in numbers which I forwarded to the Hon'ble Minister in charge of the Irrigation Department, and I believe, Sir, that the expression of the distress by these people must be based on some genuine grounds, and it may be that it has not been got up by agitators with an ulterior purpose. Some of these men then came to my house and tried to explain to me the intricacies of the problem. I confess, Sir, that this problem is a very complicated one and nothing can be better than enquiry on the spot by the people who are in a position to give information and then to come to a decision as to what further steps ought to be taken. Sir, I very much appreciate the spirit in which my friend Mr. Pramatha

Nath Banerjee concluded his speech. Let us agree, although we may not know exactly that there is a possibility of distress in that area. If on enquiry Government find that some relief ought to be given in the interest of humanity itself, if not for anything else, that relief ought to be given and will be given. I think an enquiry of this kind had better be entrusted to a committee consisting mostly of Bangals who have got no vested interest in the Burdwan Division, headed, if possible, by one of us. (A VOICE: You are also a Bangal.) Yes, I am also a Bangal. At the present moment the Government policy as has been explained by the Hon'ble Minister in charge, stands, subject to this condition that if on enquiry the committee can recommend some further relief to be given to the people of that area, the recommendation will be considered on its merits and, if necessary, the House will be consulted. Certainly the leaders of the various sections of the House will be consulted before Government come to a final decision, and I hope this decision of Government will satisfy the mover of this motion. His object in moving the cut motion was to raise a discussion and to draw the attention of Government and the leaders of the various sections of this House to the distress that is prevailing in these areas. Government have accepted the possibility of the distress and are prepared to go into the matter thoroughly by local inspection as early as possible. When that inspection is made the leaders of the various groups will be informed, this House also will be informed of the decision taken which I hope will be satisfactory to all concerned. It will therefore appear that the Government has not taken up a rigid policy of non-compliance with public opinion. We would defer to public opinion as far as possible and in view of the assurance that is given I hope Mr. Pramatha Nath Banerjee will not press his motion.

**Mr. SARAT CHANDRA BOSE:** May I request the Hon'ble Chief Minister to make clear just one point, Is it his idea that the enquiry committee will consist amongst others the representatives, both Hindus and Muhammadans, of the Burdwan district in this House?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, all I can say is that on an important matter like this I would like to consult the leaders of the various sections of the House before deciding upon the personnel. I think the leaders of various sections ought to be consulted and should have a say in the matter.

**Mr. KIRAN SANKAR ROY:** Are you prepared to accept the principle that the representatives of the district affected should be in that committee? You may consult the various sections of the people.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Possibly that may be, but I would like the various sections of the House to come to a decision. I had better consult everybody.

**Mr. PRAMATHA NATH BANERJEE:** Sir, in view of the assurance given by the Hon'ble the Chief Minister after the exposition in a heroic classical manner by the Hon'ble Minister in charge of Irrigation, I think I would request the House to grant me leave to withdraw the motion subject to one condition about the composition of the committee—

**Mr. SPEAKER:** You cannot say that now.

The motions were then, by leave of the House, withdrawn.

**Mr. SPEAKER:** Mr. Bose, I do not think any profitable discussion can take place within these 10 minutes.

**Mr. SARAT CHANDRA BOSE:** Speaking for myself I do not think any useful purpose will be served by continuing the discussion for another 10 minutes.

The question before the House that a sum of Rs. 33,10,000 be granted for expenditure under the head "17—Irrigation—Working Expenses—18—Other Revenue—Expenditure financed from ordinary revenues—18 (1).—Other Revenue Expenditure financed from Famine Relief Fund—19.—Construction of Irrigation, Navigation, Embankment and Drainage Works—B—Financed from ordinary revenues and 68—Construction of Irrigation Navigation, Embankment and Drainage Works," was put and agreed to.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Mr. Speaker, Sir, with your leave I wish to make a statement before the House. I have received a note from the hon'ble leader of the opposition stating that a report has gained currency that near about after 8 p.m. a telegram came saying that Sudhendu Dam was dead.

Mr. Bose enquired from the Home Minister on Saturday last if there was any death as there were strong rumours in Calcutta that one of the hunger strikers is dead. The Hon'ble Minister informed the leader of the opposition that if he gets any report he will inform the leader of the opposition. The Hon'ble Minister (Home) answered a short notice question on Monday or Tuesday stating that they had no reports of any deaths. Yesterday in spite of the fact that the Minister (Home) informed some of the members of the opposition that he had no reports of any death the Congress members walked out on the basis of reports about the death of Sudhendu Dam. Government issued a contradiction of the report in all the papers.

To-day the Leader of the Opposition has again heard rumours of a wire being received shortly after 8 p.m. regarding the death of Sudhendu Dam. Luckily wire despatch from Andamans to Government is timed 9-35 p.m. contradicting rumours of any death taking place in Andamans. I would appeal to the Hon'ble Leader of the Opposition and responsible public men not to encourage these wild reports until they are satisfied there is some basis for believing these reports.

Naturally the members of this House are all anxious about the hunger-strikers. If, God forbid, there was any death Government will inform the members of this house as soon as they receive any report but decency requires that relatives should be informed first before it is publicly announced.

#### **Adjournment.**

The House was then adjourned till 3-45 p.m. on Monday, the 30th August, 1937. at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 30th August, 1937, at 3-45 p.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.),  
in the Chair, the Hon'ble Ministers and 214 members.

**Statement made by the Hon'ble the Chief Minister in regard to the  
Andaman prisoners after the calling off of the hunger-strike.**

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Before to-day's business is taken up, I think that the House would welcome a statement from me regarding the Andaman prisoners. I am glad to say that on Sunday evening we received information from the Government of India and the Chief Commissioner, Andaman Islands, that the hunger-strike had been unconditionally suspended late on Saturday night by an overwhelming majority of the strikers, only seven holding out against the decision of the majority.

I am sure that all sections of the House will share the relief which this news has afforded to my colleagues and myself; a great tragedy has been averted and I should like to take this opportunity of thanking all who have contributed towards inducing the strikers to abandon their strike which subjected the whole community to great anxiety. While thanking all those who have used their influence to bring about the termination of the strike, I think that it would only be fair and proper to acknowledge the services of those officers, medical and administrative, who have had the heavy responsibility of preventing the strikers from doing greater physical harm to themselves than they have done.

As I have said, there are seven prisoners who have not suspended their strike, but I want to assure the House that we take the view that the strike has been abandoned, and that it is now our duty to proceed to give effect to the statements which have been made on behalf of the Government in the course of the discussions to which the strike has given rise.

We shall lose no time in convening a meeting of Party leaders with whom we can discuss the question of repatriation. The discussions will give us an opportunity of explaining the practical problems and also

give us the benefit of the advice of representatives of various shades of public opinion. Moreover, as soon as the session is over, the Home Department will take up the examination of the rules regarding the classification of prisoners.

**Mr. KIRAN SANKAR ROY:** Will the Hon'ble Minister be pleased to state the names of the seven political prisoners who have not yet given up hunger-strike?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** We have not got the names.

**Mr. KIRAN SANKAR ROY:** Will it be possible to get the names of these seven gentlemen?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Yes, Sir.

**Mr. JOGESH CHANDRA GUPTA:** We want their names so that their guardians may intervene in the matter.

### STARRED QUESTIONS.

(to which oral answers were given)

#### Nadia and flood.

**\*88. Babu HARI PADA CHATTOPADHYAY:** (a) Is the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department aware—

- (i) of a circular entitled "Nadia District and Flood" in which it has been stated that the non-observance of the order will end in legal prosecution, issued by the District Magistrate of Nadia, prohibiting the repair of, and construction of, any bunds (embankments) in the dried-up small rivers and *khals* of Nadia;
- (ii) of a feeling of dissatisfaction prevailing among the peasantry of Nadia; and
- (iii) of the immediate consequences of the steps taken, that is, loss of the crops of the peasants?

(b) If the answer to (d) are in the affirmative, will the Hon'ble Minister be pleased to state the action proposed to be taken by Government for proper compensation for the loss incurred by the peasants for the steps taken by the District Magistrate, Nadia?

(c) Will the Hon'ble Minister be pleased to state the steps proposed to be taken by Government for re-excavating silted up rivers and for the removal of obstruction caused to the natural flow of water due to Railway embankments?

**MINISTER in charge of COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Kasimbazar):** (a) (i) A copy of the circular entitled "Nadia and Flood" which was issued by the District Magistrate, is placed on the Library table.

(ii) Yes. There is some dissatisfaction at the action taken, but the District Magistrate has been careful to examine every case on its merits. Bunds are being allowed where they are really needed.

(iii) It is not expected that there will be much loss. There may be some loss to the people who have lands near the mouths of these small rivers and *khas*, but the benefit to the interior of the district will more than outweigh their loss. Moreover, the damage is far greater when bunds give way under pressure of water from the Padma. The real remedy is to grow early paddy as is grown in East Bengal; the people have been advised accordingly and Rs. 4,000 in seeds have been distributed on loan.

(b) It is not proposed to pay any compensation. Embankments are mainly responsible for the unhealthiness and diminishing fertility of the soil in Central Bengal and the problem cannot be faced if compensation has to be paid for their gradual removal.

(c) Already four schemes substantially financed by Government have been taken up in the Nadia district. These include silt clearance of old channels where necessary. More schemes are under investigation.

I understand that the Eastern Bengal Railway lines between Ranaghat and Goalundo and also between Ranaghat and Lalgolaighat are not causing any serious obstruction to the natural flow of water.

**Babu NAGENDRA NATH SEN:** With reference to answer (c), what are the four schemes which have been substantially financed by Government?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** The Abhaynagar scheme, Pankhonia-Santoshpur Drainage scheme; Nanga-Nagari scheme and the flushing of Tungi and Bhachanghata bills.

**Maulvi AHMED ALI MRIDHA:** The openings on the railway lines near about the headquarters station of Rajshahi are very small with consequent deterioration of health of the local people and damage to crops from water-logging—

**Mr. SPEAKER:** It is not a question. What information do you want?

**Maulvi AHMED ALI MRIDHA:** I want to know whether this is a fact or not.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** That does not arise out of this question because it is confined to Nadia district alone.

**Mr. SPEAKER:** But I find you have brought in, in this question, the railway lines between Ranaghat and Goalundo.

(No answer from the Hon'ble Minister.)

**Mr. SASANKA SEKHAR SANYAL:** Is it not a fact that parts of the Nadia district were inundated just on the eve of harvesting on account of absence of protection by bunds?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I am not aware.

**Maulvi ABDUL BARI:** Is there any scheme for re-excavating the silted up rivers in the district of Murshidabad?

**Mr. SPEAKER:** I am afraid that question does not arise.

**Dr. NALINAKSHA SANYAL:** With reference to answer (c), is the Hon'ble Minister aware that there is a cut called the Bijoy Cut, the water of which does not flow properly down the Railway line?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I am aware of the cut mentioned by the honourable member but I am not sure under what condition it is at present.

**Mr. M. SHAMSUDDIN AHMED:** May we know what led the Hon'ble Minister to issue the Circular?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** It was issued by the Collector to improve the condition of the land there.

**Mr. M. SHAMSUDDIN AHMED:** Does the Hon'ble Minister know that the Ghuznavi Cut has been silted up by this time?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I have no knowledge about the condition of the Ghuznavi cut at the present moment.

**Mr. JOGESH CHANDRA GUPTA:** Will the Hon'ble Minister be pleased to explain to the House as to how the issue of the Circular will improve the condition of the locality?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I did not mean that the issue of the Circular will improve the condition but what I meant is that if the instructions contained therein are followed, I believe there is every likelihood of the condition of the land improving.

**Mr. M. SHAMSUDDIN AHMED:** What are those instructions?

**Mr. SPEAKER:** You have got a copy of them on the Library table.

**Babu NAGENDRA NATH SEN:** May I know whether the answers have been supplied by the District Magistrate of Nadia against whom complaints are being made?

**Mr. SPEAKER:** I think you should take it as an answer from the Hon'ble Minister.

**Babu NAGENDRA NATH SEN:** I want information, as to the source from which this answer has been obtained by the Hon'ble Minister.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I am afraid I cannot give that information.

**Mr. SYED JALALUDDIN HASHEMY:** Was any expert opinion taken before the publication of the Circular?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** Certainly.

**Maulvi ABDUL BARI:** Is the Hon'ble Minister aware that the Executive Engineer of the Nadia and Murshidabad Rivers Division has been protesting against any attempt to erect any bund or embankment on any river in the districts of Nadia and Murshidabad?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I am not aware about the opinion referred to, but certainly the Executive Engineer is in favour of action taken by the Collector.

**Mr. SYED JALALUDDIN HASHEMY:** May I have the names of the experts from whom expert advice was taken?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** They are all departmental experts.

**Babu NAÇENDRA NATH SEN:** Has any action been taken after the receipt of these notices and the receipt of replies from the district authorities and were the Executive Engineers consulted in the matter?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** The Executive Engineer concerned was a party to the issue of that Circular.

#### Flood in Chittagong.

**\*88A. Al-Haj Maulana Dr. SANAULLAH:** (a) Is the Hon'ble Minister in charge of the Revenue Department aware that a heavy flood has recently devastated the district of Chittagong with disastrous consequences in the Cox's Bazar subdivision and the northern part of the district?

(b) If so, what steps have the Government taken or do they propose taking for the immediate relief of the sufferers?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):** (a) I am aware that a flood visited certain parts of Cox's Bazar subdivision and thanas Satkania, Banskali, Anwara and Patiya in the sadar subdivision of the district of Chittagong, causing some damage to the houses, embankments and to standing crops.

(b) A sum of Rs. 6,500 for distribution of agricultural loans in the affected areas in the district and Rs. 750 for gratuitous relief in Cox's Bazar subdivision have been sanctioned by Government at the request of the Collector of the district. Further sums if required by Collector will be sanctioned in due course. The Revenue Department are in communication with the Collector on this subject.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** May I submit that since this question was printed I have received a reply from the Collector of the district saying that the damage to houses in the Cox's Bazar

subdivision is not very great and that the damage to the standing crops is very small. In the Sadar subdivision, there is some damage to *aus* crop and some damage to the seedlings of *aman* paddy and Government are distributing gratuitous relief in the Cox's Bazar subdivision and loan is being advanced to people in the Sadar subdivision for the purchase of seedlings and if more loan is required he will recommend for further loan.

**Khan Bahadur Maulvi FAZLUL QUADIR:** How much relief was asked by the Collector of Chittagong for giving relief?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** The full amount that was asked for by the Collector was sanctioned.

**Al-Haj Maulana Dr. SANAUULLAH:** Is the Hon'ble Minister further aware that the flood extended to the thana, Hathazari and other places as published in a local newspaper on the 27th August?

**Mr. SPEAKER:** You cannot ask a question on the basis of newspaper information.

**Al-Haj Maulana Dr. SANAUULLAH:** But that is also my personal knowledge, Sir.

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Government have no information.

**Dr. H. C. MUKHERJI:** Will the form of relief proposed to be given after the agricultural loan amounting to Rs. 650 and gratuitous relief amounting to Rs. 750 have been distributed be that of an agricultural loan or of gratuitous relief?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** That depends on the recommendation of the Collector.

**Rai HARENDRA NATH CHAUDHURI:** Can the Hon'ble Minister give us an idea of the area affected?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** No, Sir.

**Dr. NIHARENDU DUTTA MAZUMDAR:** What is the approximate number of people affected by this flood.

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Government have no information.

## UNSTARRED QUESTIONS.

(to which answers were laid on the table)

**Non-Hindus Sub-Assistant Surgeons and Assistant Surgeons.**

**54. Maulvi AFTAB HOSAIN JOARDAR:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

- (i) the number of Sub-Assistant Surgeons promoted to the rank of Assistant Surgeons during the last 10 years; and
- (ii) the number of them that were non-Hindus?

**MINISTER in charge of PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Maulvi Syed Nausher Ali):** (i) Five, and (ii) One.

**Assistant Surgeons.**

**55. Mr. ABUL HOSAIN AHMED:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

- (i) the total number of Assistant Surgeons in Bengal;
- (ii) the number of them that are Hindus, Muhammadans and of other nationalities;
- (iii) the total number of Sub-Assistant Surgeons in Bengal;
- (iv) the number of them that are (1) Hindus, (2) Muhammadans, and (3) of other nationalities;
- (v) the total number of Sub-Assistant Surgeons recruited since January, 1932;
- (vi) the number of them that are (1) Hindus, (2) Muhammadans, and (3) of other nationalities;
- (vii) the total number of persons holding subordinate, excluding ministerial, appointments in each branch of the Department of Public Health, including Engineering Branch;
- (viii) the number that are (1) Hindus, (2) Muhammadans, and (3) of other nationalities;
- (ix) the total number of persons recruited to the services referred to in (vii) since January, 1932; and
- (x) the number of them that are (1) Hindus, (2) Muhammadans, and (3) of other nationalities?

**The Hon'ble Maulvi SYED NAUSHER ALI:** (i) to (x) A statement giving the information is laid on the table.

Statement referred to in the answer to unstarred question No. 55.

[illegible]

**Wards estates.**

**56. Maulana MD. MANIRUZZAMAN ISLAMABADI:** (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing for the present—

- (i) the number and names of wards estates in each district in Bengal;
- (ii) the number of Managers, Assistant Managers, Inspectors and Supervisors attached to each estate with the number of Muslims in each case; and
- (iii) the total number of ministerial officers and Tahsil Muharirrs in each district and the number of those who are Muhammadans?

(b) Will the Hon'ble Minister be pleased to state whether the minimum percentage of Muhammadans has been reached in the wards estates?

(c) If the answer to (b) is in the negative, is the Hon'ble Minister considering the desirability of taking steps in the matter?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bejoy Prasad Singh Roy):** (a) (i) and (ii) A statement is placed on the Library table.

(iii) The information is not readily available and would take considerable time to collect.

(b) No minimum percentage is prescribed in view of the fact that, on assumption of management by the Court of Wards, the old staff is usually retained.

Out of 10 probationary Managers recruited by the Board since 1934, 5 are Muhammadans.

(c) Does not arise.

**Mr. Speaker's ruling on advance publication in the Press of questions, resolutions and non-official bills not even admitted by the Speaker.**

**MR. SPEAKER:** Ladies and Gentlemen, for the last six weeks there has been a considerable amount of premature and inaccurate publications in the press as regards questions, resolutions and bills, of which

the members of this House have given notice for this sessions and in reference to other matters relating to the business of this Assembly.

In connection with budget cuts, one newspaper published that over one thousand cut motions have been tabled against demands for grants in the Bengal Budget and that the majority of the cut motions was directed against demand for the Police Department. The fact is, as members must have seen that out of about a thousand budget motions, only about 80 concerned the Police Department.

2. On Saturday last, a member from the Proja Party gave notice of an adjournment motion which was received in office at 1-45 p.m. yet I found the morning newspapers of Saturday publishing not only the news about a member of the Proja Party giving notice of such an adjournment motion but also the terms of the adjournment motion.

3. It is a well established convention of the House of Commons that a member who gives to the press for publication, questions, resolutions, or other matters before they are admitted by the Chair, commits a serious breach of the privilege of the House and this privilege is very jealously guarded. It is also an established and well known parliamentary convention that it is only the members who have the right and privilege of first getting notice of all questions, resolutions and bills. The House will agree with me that it is very undesirable if in matters connected with the Assembly business the members have to get their first informations from newspaper reports and that publications of this nature should take place in newspapers before these matters are officially published by the office of the Legislative Assembly.

4. In the House of Commons the House and their Speaker have got adequate powers to deal with the members who do not observe this convention, but unfortunately neither this House nor the Speaker have yet any such power. In the absence of such power the Chair only appeals to the members that this well established convention should also be observed as one of the conventions of this House. In doing so I am following the ruling given by the President of the Central Legislative Assembly in 1933 on this very point and I am also following the convention which has been followed in the past in the previous Legislative Council of this province. The Chair thinks that Hon'ble Members themselves should develop this convention as a preliminary to establish what should be the unquestioned privilege of this House.

5. I must here draw the attention of the newspapers that any publication of the terms of any question, bill or resolution is a breach of parliamentary privilege and it is an improper conduct on the part of the newspaper agency in publishing beforehand and almost verbatim

their contents. It is essential for the development of healthy parliamentary conventions in this country that the press should not prematurely publish any such matter and even though a news agency might come into possession of certain information, it is up to them to see that the news is published at the proper time.

6. The powers of the Chair of this House in bringing home to newspaper agencies is rather limited. But though the powers may be limited the Chair has undoubtedly got some power to bring home to the recalcitrant newspapers and news agencies and if there is any repetition or breach of this convention, the Chair will not hesitate to exercise such powers as he has to protect this right and privilege of the members of this House.

For the time being the Chair would leave this matter here, and the Speaker trusts the hon'ble members will kindly bear in mind that it would be considered a breach of privilege to send any premature report to newspapers, as much as it would be for the newspapers to note that to give any such premature publication will be considered an offence against this privilege and convention.

8. I must draw the attention of members to another matter. Some of the members have been sending notices of questions and motions to the house of the Secretary and the Speaker almost at all hours of day and even night. One can appreciate this, if this happens in any exceptional emergency, but is becoming far too frequent and is causing inconvenience. I trust, members will kindly send all notices to the Assembly office only and during office hours.

Babu Narendra Narayan Chakravarty said something in Bengali which was inaudible to the reporters.

**MR. SPEAKER:** That is a purely hypothetical question and I am not prepared to discuss that question.

**MR. JOGESH CHANDRA GUPTA:** Often we find that no intimation is sent as to whether a particular question has been accepted or not and whether a question which has been allowed by you will be answered in this House. Unlike the Speaker in the House of Commons, as you have stated, you have no power to interfere in the matter. Having regard to this difficulty and this difference would it not be permissible for anybody after waiting for a reasonable time to publish that such and such questions were put to which no answers were forthcoming?

**Mr. SPEAKER:** So far as I am concerned, I find that questions, resolutions and non-official Bills have been published even before they were admitted by me and my ruling applies to such breaches of the privileges of the House. In case Government is not properly dealing with such things I have no objection to their publication but not before the member concerned brings the matter to my notice.

**Mr. JOGESH CHANDRA GUPTA:** But we want information in case a question is disallowed.

**Mr. SPEAKER:** You can take it from me that if a question is disallowed the member concerned is apprised of it.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Are we not to understand by your ruling that the first intimation to the public of questions and non-official Bills that have been allowed should be by laying it on the table in the House; and that until this is done, members should not send them for publication on their own motion.

**Mr. SPEAKER:** Yes, I agree that it is so.

## THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

### DEMAND FOR GRANT.

#### 28—Jails and Convicts Settlements.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 42,99,000 be granted for expenditure under the head "28—Jails and Convicts Settlements."

**Mr. ATUL CHANDRA KUMAR** : I beg to move that the demand of Rs. 42,99,000 be reduced, by Rs. 100.

Sir, my intention in moving this motion is to draw the attention of the Hon'ble Minister to the necessity for reforms in the Jails Administration. The Prison House was built at a time when the outlook of mind in regard to convict prisoners was quite different. The prison houses, especially the cells, are not well lighted and well ventilated. There are two methods followed in the jails administration. The first is to make the prison rules too rigid so that a prisoner after his first experience will not commit crimes for the second time. I submit that that method has failed. As we find there are many prisoners who have been sent to jail for five times, ten times and even more. The second method is to make it a reformatory to build character by meting out a ~~more humane~~ humane treatment and by training them in trade and industries which they can take up after they are released.

Then there are two classes of prisoners, viz., A and B. Those who are habitual criminals are placed in class B and those who are not, in class A. At present there are also three divisions, viz., I, II and III. Very few are placed in I and II and most of the prisoners are placed in III. Therefore I propose to deal with division III prisoners. Then although no such thing is mentioned in the old Jail Code as political prisoners and ordinary prisoners, still the words "political prisoners" are often found in the amended Jail Code and Rules. This refers to those who are not convicted of any offences involving moral turpitude generally. They were convicted for the offence of furthering the cause of independence of their motherland. In my opinion all such political prisoners, most of whom were born and brought up in an environment unsuitable to division III prisoners, should be placed in a special division. During the non-co-operation movement there was a special division in which all political prisoners were placed. As regards convict settlements we have heard to-day from the Hon'ble the Chief Minister that he will hold a conference for the repatriation of prisoners from those settlement and for placing them in a higher division. Rupees 47,700 has been demanded for expenditure for the cellular jail at Port Blair. I submit, Sir, this money can be well spent in our own province and that if not on any other ground at least on the ground that some of our people will be benefited thereby. Not only the repatriation of the Andamans prisoners is necessary, but I also suggest that detenus and persons confined outside this province for whom Rs. 6,13,000 is demanded should be repatriated to their respective provinces. If this money, viz., Rs. 6,13,000, is spent in our province, certainly it will be distributed amongst the people of our own province. People confined outside their own provinces are not accustomed to the climate of other provinces, and they do not get proper diet there; as for instance at Deoli the prisoners

of Bengal do not get fish as frequently as they get in Bengal. Perhaps, I shall not be out of order if I were to mention here that the question of release should also be considered, inasmuch as they will have to be released one day. Those who have been convicted for 5 or 7 years, they will have to be released after the expiry of their terms. I also know that prisoners who have been convicted of such offences as murder, rape, dacoity, etc., were released before their time expired, viz., during the civil disobedience movement, of course only to make room for political prisoners. If these prisoners could be released safely before their term expired, I do not find any reason why under the changed circumstances in the country this should not be considered. I think, Sir, if there be a good gesture from the side of Government, that gesture will be reciprocated by an equally good gesture from the other side. Then, Sir, we talk of primary education. In my opinion, Sir, primary education is possible without any additional or extra expenditure in jails. If literate prisoners are entrusted with the task of imparting education to illiterate prisoners, I hope the latter kind of prisoners will acquire some elementary knowledge. That will also have some reformatory influence, I think, especially if political prisoners are entrusted with this task, I hope they will most gladly accept that task. Every year about 20,000 prisoners are released, and if those prisoners are trained in jail, then certainly some of them will turn out to be good citizens and useful citizens also.

There is provision in the Jail Code that a library should be maintained in each jail, but in some jails there are no libraries, and in some if there are libraries they are without books. Newspapers should be supplied, Sir, to these prisoners. Of course, if they want to censor their news, Government can have newspapers of their own to supply to the jail population; they can be published from the Alipore Central Jail and then circulated to these prisoners. Government can easily do this. I do not understand why after being so heavily punished and after having experienced bar-fetters, handcuffs in jail, why do these people commit crimes and again go to jail? This means that the jail is not a reformatory. Prisoners should be divided into groups according to their choice and taste, and training should be given to them in industries to which they can take after release. If the prisoners are given some sort of wages which may be deposited with the jail warders, they will work more sincerely and honestly and on coming out of the jail they can begin their new life with the wages they have earned there. What do they do in the jails from 6-30 to 9-30 in the evening? They have nothing to do. They only play cards, but of those also not a sufficient number are supplied. And, therefore, they have got to make plans of big dacoities, inter-district dacoities, etc., etc. I suggest that if during this period moral training is given to them by means of magic lanterns and cinemas—if lectures are also given to them on sanitation—

certainly some of them will turn out to be good citizens, and equally certainly some of them at least will not have the time to make plans for inter-district dacoities and all these things. They do not work earnestly at all, for they have nothing interesting to do. I want to mention here that they produce vegetables such as cauliflowers. These cauliflowers go to the jailors and the baboos and not to them. They get only the leaves of the cauliflowers, and that is why they do not work earnestly and sincerely. They do not get good and full ration. Of course, the political prisoners know how to exact good rations. Now let me tell you, Sir, some of my own experience in this connection. While I was in the Dur Dum Jail in 1930 and in 1932, I was placed in charge of rations. On my complaining to the contractor he used to say that he had not got the "contractory" all for nothing. Tenders are accepted from those contractors, who can well pay for "these things" and I can point out to the Hon'ble Minister these bills can be checked. I can tell the Hon'ble Home Minister that these things can be checked. It is not a question of less payment to jail officials, etc. I think the jailors get something like Rs. 300, while the Superintendents in some cases get as much as Rs. 1,700 to Rs. 1,800. Such big sums are paid to these jail officers. Most of the division III prisoners are illiterate, and if they complain about diet, they are dealt with under the Jail Code; they are punished, and penal diet and handcuffs are given to them instead of better diet, for merely protesting about diet. While I was in the Rajshahi Central Jail in 1930 I was not placed in any division, because the police protested against my being classified as division II, with which the District Magistrate agreed. And I was for about a week treated as division III. I complained to Mr. Luke, the Superintendent of the Jail, as regards my diet. I told him if he would kindly supply me with potatoes and a few drops of mustard oil. He enquired as to how many kinds of vegetables were supplied to us, and he got the reply that six kinds of vegetables were supplied to us. At this the Superintendent himself was astonished and said that he did not get six kinds of vegetables at his own house, and I doubt, Sir, whether even the Hon'ble the Home Minister gets six kinds of vegetables at his table. But the question is, Sir, what kinds of vegetables are they that are supplied. They are *beet kumra*, *mula*, *mula sak*, leaves of cauliflower, *dantas*, and a few potatoes, perhaps half a seer in a month. That is the six kinds of vegetables, Sir, that were supplied to us. These six kinds of vegetables were cooked with 5/16th *chitak* of mustard oil per head, and, Sir, from this small quantity of oil a small portion had to be kept for cooking fish, which is supplied to the prisoners in microscopic quantity every alternate day. Tobacco is not given to the prisoners. I would request the Hon'ble the Home Minister to read the Folk Tales of Bengal, and then he will realize how dear tobacco is to the common people of Bengal. And if tobacco is supplied to them as a matter of

course, smuggling will be stopped; in fact, the prisoners do get even now tobacco, *ganja*, *biri*, cigarettes, and even wine,—they get every one of these things in jail. The prisoners who have got pockets in their mouth keep money concealed in their mouths, and they can get anything by paying the warders and other petty officers of the jail. If you want to stop this smuggling, you will have to supply them at least with tobacco which is so very dear to the poor and humble people of this province.

As regards latrine arrangements, the less said about them the better. When I think of jail latrines, I am inclined not to call this Government a civilized Government. There is no sense of decency nor of privacy in the latrine arrangements there. Twenty or thirty latrines are there in a row. There is no partition wall, no purdah, nor doors on the front either. Therefore, I say that the less said the better about these arrangements.

As regards clothing that is supplied to the prisoners it is very insufficient. Prisoners are not supplied with mosquito nets. I do not think any jail is free from mosquitoes, but every constable is supplied with a fine and a beautiful mosquito curtain. Even if their relations give them mosquito nets they are not allowed to use them. These prisoners do not get even a hand fan during the summer, during the hot season.

As regards medical treatment, there is no proper arrangement, no nursing arrangement. When a prisoner becomes sick or falls ill, he is to be sent to the hospital and milk, sugar and sago are prescribed for him. The prisoners do get "milk", but not pure milk. There are jail cows which are meant for the prisoners, but actually they do not get pure milk, for it goes to the *sahibs* and *burra baboos*, and what they get is pure H<sub>2</sub>O, pure water.

Sir, jails can be made self-supporting. There are big central jails which accommodate some, 1,500 to 1,800 prisoners each, and if these prisoners are employed in some industry and profitable trades, then I think the jails can be controlled and administered at a considerable less cost. Even cotton mills can be established in jails. There are so many hands in the jails and when they come out of the jails they earn only 3, 4, or 5 annas by their labour, which can be increased if in the jails they are allowed to learn some business. I have got very little time at my disposal and cannot go more fully into this matter however much I may wish to do. The prisoners when they are released are paid only 6 annas to return to their homes, and they do not find even that dish of "fine" diet that they used to get while they were in jail, and so when they come out of jail they think of committing crimes. I think some sort of assistance should be given to them on their release, and Presidents of Union Boards should try to find some employment for them so that they may, not starve. But instead of

that, police vigilance, P. R. J.(?) and such other things hang on them. If they are late even by 5 or 10 minutes—I tell you this from my own experience when I was detained in a village under internment—they are harassed. My experience is based on the treatment given to them at the thana.

I think, Sir, that if you continue the present system, if you do not change the old Jail Code, then there is no hope of reformation. And with this end in view I tabled a resolution that there should be a committee of 15 members of this House to inquire into the grievances of the prisoners and inmates of jails and how to make the jails act as a reformatory.

As regards the arrangement for females in the jails, all I can say is that they are very bad. Of course, you will find good provisions in the Jail Code, but they are not at all followed. Therefore, I request the Hon'ble the Home Minister to see to this. I know of one case of a woman prisoner, which I may cite here, viz., of Srinati Bina Das, who made an attempt on the life of our Governor, Sir Stanley Jackson. How was she inspired to do this act of crime? She had been to the jail to see her sister and she saw her sister all "*ruksha kesh and suska besh*," as is written in one of D. L. Roy's poems. The women prisoners are not supplied with cocoanut oil at all, although there is a provision in the Jail Code that they should get only a few drops of this oil in a week. This is why she was inspired to commit this crime. When she saw her sister in such a pitiable condition, she sat down.

As regards letters, they can send only one letter every three months. As regards interviews with their relatives, the interview takes place with the prisoner standing on the other side of the wire-netted door. There is no privacy of any sort whatever. Of course, interviews may take place within the sight of an officer, but not necessarily within his hearing.

These arrangements should be changed. I think officers of the jail should be instructed that as soon as they receive prisoners they must inform the relatives of those prisoners that they have been admitted in their respective jails. In Malda a Sonthal was convicted in connection with the Adinath shooting case and was transferred to a distant jail. His relatives were not informed as to his whereabouts. The Jail Code was framed in the year 1871 but although many reforms have been introduced by correction slips the Code requires a thorough overhauling.

**MR. SYED JALALUDDIN HASHEMY:** Mr. Speaker, Sir, a few years ago on the floor of this House I had occasion to characterise the system of jail administration in Bengal as barbarous, brutal and inhuman. I did not stop there: I characterised it as immoral. I still maintain that opinion. I have no reason to change it even to-day.

I assure you, Sir, that to-day I will not speak a word about political prisoners or detenus. I will speak of prisoners in general without making any distinction between caste, colour and creed, and I will even make no distinction of sex. I will make some concrete suggestions to the Home Minister with regard to the jail administration in Bengal.

I will begin from food. I had a very fortunate occasion to place before His Excellency Sir Stanley Jackson certain facts when I was a prisoner in the Rajshahi Central Jail. His Excellency very kindly and patiently gave me a hearing in that jail. I had occasion then to tell His Excellency that the food that was being supplied to me was not worth human consumption. I went to the length of saying that even a hungry dog would refuse to take the food that was being supplied to me. His Excellency assured me that he would consider my ~~views~~. With regard to the food that is generally supplied in the jails I may say that it is not really fit for human consumption. The money that is spent by Government may be enough but the administrators of the jails, I mean the Superintendents, Jailors and particularly Hindusthani warders, take away the lion's share of the money that is provided by the Government. Before I proceed with the food problem further I would request the Hon'ble Home Minister to do away with the Hindusthani jemadars and warders. They are a veritable nuisance. I request the Home Minister to recruit Bengalee, Moslems and Hindus, Matriculation passed, as police constables of Calcutta and Bengal, and as jail warders. As long as the Hindusthani jemadars are running the administration of Bengal jails there is no hope of improvement in food supplied to prisoners.

While I was a prisoner in my own district of Khulna, believe me when I say that a pure and simple plantain tree with skin and without being peeled was brought from the field and boiled. It was then given to us as curry with the coolie rice. It is a fact and I say it from my personal experience.

I have forgotten to mention that I was a prisoner in several jails—central, district and sub-jails—and was placed in Division I, Division II or Division III. Therefore my statement will be an authoritative statement, if only the Home Minister will believe it. I will criticise the jail administration purely from the point of view of reforms and nothing else. I want better food and not only better food but also better clothing. With regard to clothing (I stop talking about food for the present) the gentlemen to my left might have seen the dress supplied to the prisoners which shows the taste of the department and of the Government of Bengal. It consists of one *jungiya* which can hardly cover the shame of the prisoners and a *fatua* without any button at all.

With regard to bedding all that is supplied to prisoners are a coir mat the abode of bugs and two blankets; I do not know who are the manufacturers of those blankets, probably they are specially ordered by the Government for the use of the prisoners. These are the things supplied as food, clothing and bedding.

I want the Home Minister to make arrangements for development of the mentality of the prisoners and of their sense of morality. I repeat, Sir, that if the Home Minister does not see his way to do away with the Hindusthani warders the morality of the prisoner far from improving will go from bad to worse day by day. I will request him to go to the jails himself and see the Rendifatak and Chografatak—

(Here the member having reached the time-limit, resumed his seat.)

The House was then adjourned for 15 minutes.

(After adjournment.)

**Mr. NACENDRA NATH SEN:** The question is of the heart and not particularly of the head, viz., whether the jails should be corrective or reformatory or whether they should be punitive; if it is considered that jail life should be always punitive and persons who have been convicted of crimes should be regarded as outcasts, then and in that case only can the system of administration of the Bengal jails now prevalent can be justified. It cannot be justified on any other ground.

My friend Syed Jalaluddin Hashemy has given some instances of hardship of jail life. I would submit through you, Sir, that the whole mischief is created by the mentality of the administration, namely, that given an opportunity the prisoners would escape. This bogey of escapade always haunts them and the authorities cannot sleep calmly and quietly without adopting the very severest method of keeping these prisoners as if they were in a cage. If this policy of distrust is thrown away then the life of the prisoners in jail may be better, their conditions may be ameliorated, but unfortunately that is not the case. My friend Syed Jalaluddin Hashemy has spoken of diet and clothing. I say positively, and it is my considered opinion, that it is the intention of the administrators of the jail that prisoners should be prevented from sleeping at night, and I would give a concrete example of what I say. My cut motion No. 531 is to draw attention to the mischievous custom of disturbing prisoners in their sleep by deputing a pair of convict warders in each cell who, without remission would loudly recite the numerals up to the number of prisoners contained in the cell together with the number of lanterns, etc., that may be in the cell. The members to my right have not been to the jail. To their

edification I would tell them that there is the custom in the jail, as regards Division III prisoners are concerned, that in front of each cell there is posted a warder and within the convict cell there are posted two warders. Suppose the cell contains 32 prisoners and the equipment of the cell is two hurricane lanterns which hang by string and two pitchers of water. It is the duty of the convict warders inside the jail who are required to be there from 9 p.m. up till 4 a.m. to loudly count, *ek, do, tin*—if the number of prisoners is 32—up to 32 and this goes on without any remission and if there is a remission for a minute or two the jail warder calls the convict warders by name and the slang which is uttered by them is out of all decency. My friend Syed Jalaluddin Hashemy was speaking of removing these up-country warders. When I was in the Suri Jail, my friends Dr. Prafulla Chandra Ghose and Captain Suresh Chandra Banerji, who was himself the Superintendent of a very big jail in Sind, were also there and one fine morning we were told that we would be transferred to the *Rendi Phatak*. We could not understand at first but afterwards we learnt that it was the female ward and we were to be transferred as there were no female convicts there. Now, Sir, imagine the horrible nature of the nomenclature: female ward is translated by them as *Rendi Phatak*: nothing could be more immoral than that I should say and if there was any attention paid to the feelings of the Bengali prisoners—and most of the prisoners were Bengalees—this slang expression could never have been used by these up-country warders. Now imagine, Sir, if the figures one, two, three are dinned into the ears of the prisoners who are supposed to sleep during the night, can there possibly any sleep, and these prisoners are also huddled together like sardines in a tin. The Jail Code is sacrosanct: nothing can go beyond the Jail Code save and except overcrowding of jails. If a cell is to contain 32 prisoners, when there is pressure that cell contains more than 64 prisoners—and I have seen it with my own eyes, but if the question is during hot summer to supply them with a hand-fan, the reply will be that is not provided in the Jail Code. Nothing could be more inhuman, more unsympathetic than that.

(The member having reached the time-limit, resumed his seat.)

**Maulvi ABUL HASHIM:** Sir, our friend Mr. Jalaluddin Hashemy spoke many things about jail life. As I have no personal experience of jail life I am not going to contradict him, but Sir, I would like to draw his attention to one thing I noticed. Generally, I am not speaking of political convicts—I find the ordinary convicts in jail improve their health and gain in weight. Sir, I have an ill-health and I made many attempts to improve my health, took medicines, regulated my diet and made various other attempts but all failed. I was sometimes tempted to go to jail on account of my health and I am prepared to commit some technical political offence and should

be grateful to Sir Nazimuddin if he sends me to jail so that I may gain some weight and my illness may go away.

**Rai Bahadur JOQESH CHANJIRA SEN:** Mr. Speaker, Sir, I take the liberty of speaking a few words regarding the ordinary jail prisoners. When a man commits an offence, the result is that he is tried and loses his liberty and sent to prison. Then, Sir, as soon as he is put in jail the State assumes certain responsibilities and one of the responsibilities is to see that the criminal propensity in that man is checked and not merely to impose a specific penalty for a specific offence and also to see that he does not turn out a habitual offender, and in this respect a proper balance must be kept in the prison administration between the reformatory and punitive elements.

Sir, there are two classes of prisoners—one short term and the other long term. The short term prisoners when they come out of jail they do not find much difficulty in mixing with their own people, because they can explain away their short absence. But this is not true in case of the long term, because as soon as he comes out he is shunned by everybody, everybody disowns him. As a result he goes from post to pillar and from pillar to post and he again commits the same kind of offence and is again sent to prison, and in this way when once or twice he goes to prison his name appears in the police register and he is kept under vigilance of the local police or the village chowkidar and his life becomes unbearable and the result is that ultimately he turns out to be a dangerous criminal and he is the man who becomes a member of that underground criminal gang. Sir, there must be some solution, so that these criminal may not become habitual offenders, and I therefore suggest that when those long termers are inside the prison they may be given some sort of training, so that when they come out of the jail they might lead an honest life and can earn their livelihood and may not have to take recourse to crime. By this Government can also make some saving by having increased jail manufacturers of different articles and thus to a certain extent the jails can be self-supporting. While the convicts are inside the jail they may be given training in handloom and taught to make their cloths so that when they come out they can take to handloom industry as their living and at the same time make cloths for themselves and their family.

In this connection, I cannot but mention one point. Most of the convicts in jail are Bengalees and some are U. P. prisoners. These people when they are outside the jail are accustomed to use mustard oil, and I think for the sake of health of these prisoners the Hon'ble Minister will kindly make some arrangements to supply oil to these poor convicts.

(The member having reached the time-limit, resumed his seat.)

**Maulvi AULAD HOSSAIN KHAN:** Sir, jail is always jail, nobody can expect home comfort in jail: mosquito curtains, tobacco and all these things cannot be expected in jails, but still I admit there is room for improvement in jail administration and room for reform. The real object of putting a person in jail is not simply to give him punishment but also to reform his character. To this end I suggest that some arrangements should be made to deliver lectures to prisoners at least once a week on some moral and religious points in presence of Superintendent or the Deputy Superintendent of the jail. As a non-official visitor of jail I experienced some difficulties and heard some complaints from prisoners that facilities are not offered for prayer and fasting during Ramjan. These are the things which I would like to bring to the notice of the Hon'ble Minister.

Whenever a visitor goes to visit a jail no prisoner dares to make any complaint against any warder, because whenever any prisoner attempts to make, or makes, a complaint to the visitor he is very much tortured by the warders afterwards; and for fear of being tortured no prisoner actually wants to make any complaint. So in this connection I would like to suggest the Hon'ble Minister in charge that some sort of complaint box or something like that should be kept in such a way that prisoners may put in a complaint and some piece of paper with pencil on which a prisoner may make a complaint, the warder or any officer of the jail being unaware of it. Of course I am not going to make a detailed suggestion as to how this can be done.

As regards diet, I had occasion to pay surprise visits and once I found that the Deputy Superintendent prescribed one kind of diet in the diet sheet, but on enquiry I found that that particular diet was not really given. So there are many things such as mustard oil, etc. But the real article or the article of proper value is not supplied in collusion with the jail contractors. (Mr. SYED JALALUDDIN HASHEMI: These things are stolen by the warders.)

Sir, as regards juvenile offenders, I may say that sometimes they become veteran criminals, as a result of their association with veteran criminals and when they come out of jail they become veteran wrecks. I therefore suggest that these juvenile offenders should not be allowed to mix with the veteran criminals.

One more point and I have done. Although I have no experience of other jails, but in the jails I have visited I found that the Hindu cookshed is close to the Muhammadan cookshed and the Hindu prisoners sometimes complain. Of course it may be a matter of sentiment, but I think that that sentiment should be respected. Therefore I suggest that the Hindu cookshed should be at some distance from the Muhammadan cookshed.

**Mr. C. W. MILES:** Sir, the outstanding characteristic of this debate, as it appears to me, is that the opposition consists of people who have been to jail whereas the other side of the House consists of law-building citizens (hear, hear). The only aspect I can deal with is the point of view of one who has seen a jail outside the wall.

Sir, I have read the latest report of Jail administration and there are three things to which I should like to draw the attention of the Hon'ble Minister.

The first, Sir,—recreation for prisoners—should be extended because it is only by healthy mental and physical diversions that prisoners will realise the error of their ways, conduct themselves in a good manner and become reformed.

The second point, Sir, is the provision of Borstal Schools. In Bengal unfortunately we have a great preponderance of prisoners under the age of 21 and the existing facilities for their treatment in special institutions is very limited indeed. The arrangements are most inadequate and the provision of more institutions of the Borstal type is a pressing need. It is to be regretted that public opinion is not fully aroused in this matter.

The third point, Sir, is the chronic overcrowding in jails. This overcrowding causes heavy expenditure and also considerable discomfort to the prisoners. I submit that economy in the jail expenditure and the provision of better conditions in jails are entirely in the hands of Congress leaders of this Province; they should exercise more control on their supporters and their Press. Despite the protestations of obtaining their ends by lawful means the left wing of the Congress is now showing signs of getting out of hand. In these circumstances, is it possible for any Government to liberate more detenus? (A VOICE: Are you speaking on Jails?) I am speaking about detenus. In fact, it might transpire that in order to preserve law and order more drastic measures would have to be taken. To illustrate my point about detenus, I may tell you of a conversation I had with a loud-voiced—shall I say—Congress Member. He asked me "If we gave you a guarantee that for 10 years there would be no terrorism in this Province, would you agree to release all detenus?" Of course I could give no answer to this as it presupposes that the Congress controls terrorism and that if they control it now they did in the past (Cries of "No, no" and "Yes, yes"). I hear a lot of "Yes" and "No" and it would be interesting to know from Congress Leaders to what extent they do control the extremist element. (Hear, hear.)

One or two remarks have been made by previous speakers. Babu Atul Chandra Kumar suggested repatriation of the prisoners from the Andamans. It must be remembered—

**MR. NIHARENDU DUTTA MAZUMDAR:** Sir, on a point of order. You gave us a ruling the other day that no name should be pronounced in a distorted fashion. The speaker is pronouncing Atul as "Awtul."

**MR. C. W. MILES:** Sir, I submit that the point of order is as futile as the usual utterances of the member who raised it. I was pointing out that repatriation from the Andamans, desirable as it is, will cost this Province a considerable amount of money in erecting new jails and making other arrangements. He also mentioned the matter of the release which, as I have already pointed out, is in the hands of the Congress.

Mr. Hashemy is always in his element in upholding criminals. I have known Mr. Hashemy for some time and I have heard him talk many, many times and he is like the monsoon a lot of wind.

**Babu KSHETRA NATH SINGHA:** Sir, I should like to draw the attention of the Government to one or two points. I do not claim to have some personal experience of jails like my friends who have suffered and suffering much for the cause of the country. I have also no intention like my friend Mr. Abul Hasem to go to jail in order to improve my health; I have no mind at all to go to jail to recoup my health at this stage of my life. One thing, Sir, I should like to speak about and it is this. If a man through weakness or poverty commits a theft and becomes a criminal, I do not see why he should remain always a criminal. Should not the Government do something to transform this man from a thief to a good citizen? Sir, I do not speak of the detenus or the interned persons. As I have said, I have no personal experience of jail like my friends and I have never been inside a jail. If a man through no fault of his own or through weakness, or poverty or starvation, once commits a crime such as theft and goes to jail, why does he on return from jail become again a thief? It has been my experience that as soon as such a man comes out of jail, he is oppressed and harassed by the policemen who often come and ask him what he is doing and so on. He is watched over even if he commits no crime. If a man does commit one blunder, it does not follow that he will always commit blunders; he may try to reform himself and lead a straight life, but why the police will try to drag him and put him into jail again. So my request to the Hon'ble Minister is that as soon as persons come out of jails, they should not be dragged into prison for the rest of their life.

**MR. NIHARENDU DUTTA MAZUMDAR:** Sir, I rise to support this cut motion. In doing so, I propose to draw the attention of the House particularly to the policy of detention of prisoners under Regulation 3 of 1818, or similar other provisions for imprisoning or detaining people without trial and to the discriminating policy against political prisoners in the matter of classification inside jails. It has been complained that in prisons the policy adopted is not the policy of reforming prisoners but the policy of merely keeping them in detention and of punishing them to the utmost limit, and after a few years to let them out incapacitated to earn their living and unfit to live a normal and healthy social life. I submit, Sir, it is futile to expect that this Government or this administration can adopt the policy of reforming prisoners. The whole basis on which prisoners are sent to prisons and convict settlements is the basis of preserving the interest of one particular strata of society, and by any means and every means that is required to perpetuate that interest. In this country as in every other country under the iron heel of capitalism and imperialism, the State apparatus consists of its courts, legislatures, jails, convict settlements, the police, and the army. All these straight away aid and abet those who are out to subserve the interests of capitalism and imperialism at the cost of the worker and at the expense of the tillers of the soil. When the impoverished peasant is unable to pay his rent, he is deprived of his little plot of land. And if, in order to feed his starving children, he takes a portion of his grains, a part of the fruit of his honest toil, he is forced into the prison in order to serve out his sentence. No court enquires why his family starved for want of food crop, which he reaped by his own toil and which is expropriated by his landlord; no court enquires by what means the women and children of the peasantry can be fed; but the same courts would decree his land and order the attachment of his crops, the attachment of his utensils, his chattels and cattle and every household requisite; when the poor tiller of the soil is unable to meet the extortionate demands of the money-lender or of the oppressive landlord there are the jails, and convict settlements, I submit, are a part and parcel of the same state machinery to subvert the imperialistic interests.

And where the jails and the convict settlements do not suffice to serve their purpose, they declare martial law, they bring out their Army, they bring out brute force and naked violence; they throw off every principle of democracy and law which they profess. By sheer brute force they continue to rule. We know, Sir, that to-day over 2,000 young men—who are in prisons without trial—are kept in prison under special powers such as, Regulation III of 1818: they are the victims of this brute force, of Imperialism, which did not dare to approach its own courts, and threw aside every pretence of the rule of law. By sheer brute force they put our young men in a living grave and there they are kept for years and years, till they are incapacitated, for the rest of their

lives: and, to-day, Sir, the astounding thing is that, people are incarcerated under Regulation III of 1818! Sir, when in 1818 this Regulation was promulgated, who in this House does not know that the East India Company, the organized freebooters in this land, were engaged in their banditry of conquest—not conquest. I should say—were engaged in the policy of plundering the Indian people? And this Regulation was taken recourse to in order to subserve the interest of the plunderers. In 1857 took place, what is known as the Indian Mutiny, that great Indian War of Independence, which was a protest—a protest that was doomed to failure; but nevertheless a protest against the state of freebootery in the land. We know that mighty revolutions have swept over Europe since then; we know that a revolutionary wave passed over all Europe and mighty empires have tumbled down. We know that the atrocious administration of the Czars, which held in thrall the entire people of Russia, came to pieces and crumbled down, yielding place to the Great Union of Soviet Socialist Republics, where there is not a single man unemployed, where you find a policy of reform and progress all round and not a spirit of vendetta and the sort of thing that exists here, in order to break the people in body and spirit. After twenty years' existence of this mighty regime, a mighty regime of workers and peasants, we find still in the year 1937, our boys in this country, both Hindus and Muhammadans alike, being put behind prison bars under the Regulation III of 1818. I do not think, Sir, that these atrocious rules, these oppressive laws, will disappear before the edifice of the Imperialist system has crumbled down or is smashed to smithereens. I believe, Sir, from the innermost core of my heart that many of the persons imprisoned or interned in the villages are much-honoured names of leaders of the working class, such as, Abdul Halim, who, after he had served a sentence of over two years, has been kept under detention at Pachegarh in Jalpaiguri district. I can cite other instances, such as those of Abdur Razzak Khan, Saroj Mukherji, Kali Sen, Ali Nawaz, Abdul Momin, Somnath Lahiri, Dharani Goswami, Madar Khan, Joytirmay Nandi, Sreenarayan Jha, and many others. Of course, I cannot name all the 2,000 detenus, but I can say that they are there because the interests of Imperialism needed it.

(At this stage the member having reached the time-limit, resumed his seat.)

**Babu HARIPADA CHATTOPADHYAY:** Mr. Speaker, Sir, I have read and re-read the written budget speech of the Hon'ble the Finance Minister, which was rather a longish affair, but I confess that I could not find a single point suggesting any change in the policy of jail administration. The same anti-dilution policy is to continue. Sir, the Hon'ble the Finance Minister seems to be enamoured of constructive suggestions, but, Sir, no amount of

tinkering and furbishing up would do. The whole system requires to be changed lock, stock, and barrel. Sir, the other day I read a long statement of the Hon'ble the Finance Minister in the newspapers where he stated that it was with the greatest difficulty that he stayed outside the jails during the civil disobedience movement. His heart yearned for it. But his high sense of patriotism prevented him from courting jail, because important work remained for him to do outside. How I wish he had been a bit less patriotic and had crossed the threshold of a Bengal jail at least for once to see things for himself. Sir, I have got first-hand knowledge of the jails, and I assert that these Bengal jails are so many living hells, so many plague-spots of humanity, where innocent, and erring men and women are subjected to the worst form of indignities and insults. "Abandon ye all hopes who enter here"—these terrible words are inscribed on the gates of Dante's "Inferno," but in our jails, the convicts, not only abandon all their hopes but they are made to shed their humanity altogether. In this connexion, Sir, let me narrate one incident. The jailor's ten years old son found me smiling one day. I was in my convict's dress. He was so much amused,—perhaps he thought that it was very unusual for a convict to smile like a man—that he cried out "Mammy, mammy, look here a convict is smiling." Yes, Sir, the boy instinctively spoke the truth for the smile of a convict is ever unknown in Bengal jails. He is not considered as a human being; but is treated as worse than a brute. There is sepoy rule in the jails. The sepoy should be addressed as Huzur by every convict, and the convict must not be addressed by his name; he is called a chore or daku, and things like that. How callous these jail authorities are! Here is, Sir, one instance of callousness on the part of a jail doctor. These doctors dabble in anatomy all their life, but it seems that they have no acquaintance with that part of human anatomy which is called the heart. They seem to be innocent of all fine human emotions. A Muhammadan convict died uncared-for during one night, and nobody was by his bedside. When the doctor came in the morning that fact was reported to him, and he was very much vexed for he thought he would have to do some additional work on this account. He went straightaway to the bed-side of the dead man, gave him several violent shakings—I was present by the bed-side at that time—and then cried out "Oh, mollah, oh mollah"—they can commit such acts of sacrilege—and then to his utter disgust said: "The rascal is dead, and I shall have to do such a lot of work for him now." I know of two cases of my own district—Gulam Jilani and Shibakali Mondal. They, too, died uncared-for in the hospital due to the utter neglect of the hospital doctor.

One word, Sir, now about convict settlements. The other day we were told by the Hon'ble the Home Minister that these prisoners

were carrying on clandestine communications with the outside. In saying this the Government stand self-condemned. It does not lie in the mouth of the Government to argue like that. These prisoners were in jail, within the four walls and behind the iron bars, and yet you say that they had clandestine communications with the outside! How funny! It proves the utter inefficiency of the Jail administration. You cloak your own inefficiency by subjecting these prisoners to additional punishments by sending them away to far-off Andamans—the desert islands—where they pine their lives away for a warm touch of their motherland. In those primeval forests they pass their weary days in those old dingy cells built during the days of the Mutiny. You describe them now as earthly paradise, but may I not tell you that one's mother and mother-land are far dearer than Heaven itself. Sir, I appeal to this House to think of these exiles and of their feelings. When night comes—the eternal roar of waves breaking upon a desolate shore, breaking upon the silence of night—

**MR. SPEAKER:** Your time is up.

**Babu HARIPADA CHATTOPADHYAY:** May I have just one minute more to finish my sentence?—thrills their minds with a sense of horror that chills and paralyses their very being. I appeal to this House, Sir, to think of them and bring them back to their motherland.

**MR. SPEAKER:** It would be convenient if I bring the debate to a close, so that the next motion might be taken up. The Hon'ble Khwaja Sir Nazimuddin.

**The Hon'ble Khawaja Sir NAZIMUDDIN:** Sir, on this occasion I am prepared to admit the superior intelligence, experience, and information which my honourable friend, Mr. Jalaluddin Hashmi has on the subject of jail administration and jail discipline than I have, but I am sure that some of the remarks that have been made by him can be refuted by the remarks of other gentlemen who had been in a similar position as he was. Before I go on to deal with the detailed criticisms of jail administration, I would like, Sir, to admit that there is no doubt that there is a great deal of room for improvement in the jail administration of Bengal; I would say vast room for improvement, and also that there is a great deal that can be done for not only ameliorating the condition of the prisoners in the jails but also as regards the imparting of moral and religious instructions in the jails and the improving of the character of the jail population while

they are there. But the fact should not be lost sight of that, as far as the question of moral improvement and moral training is concerned, the public at large can do far more than can be done by Government. In all countries where special attention is paid to this aspect of jail life, it is generally public men who volunteer a certain amount of honorary service and take upon themselves the duty of visiting the prisoners regularly and interviewing them in the course of their visits—sometimes spending as much as twenty minutes or even half an hour with each individual prisoner—visiting them regularly, talking with them, finding out where they had come from, what are the reasons which had led them to commit crimes, and having gathered all this information, try to point out to them the error of their ways and to bring them back to normal ways of life. (Mr. SYED JALALUDDIN HASHEMY: But that must be done under the law.) No law is necessary for this purpose. If the public were to volunteer for this, Government would be very glad to consider their proposals and give facilities to them. As regards similar questions, like religious instruction and other things, there also, if we can get religious men, who would volunteer their services, the speed of reform can be very much accelerated.

Therefore I should think the co-operation of the general public is most desirable for the improvement of jails in Bengal. There is one other aspect of this question which I particularly bring to the notice of the members of this House. Practically every one of the reforms that has been suggested entails a certain amount of additional expenditure, and it must be borne in mind that to give effect to these proposals and suggestions considerable amount of money will be required.

To begin with, our greatest problem at the present time, as has been represented by Mr. Miles and another speaker before him, is the overcrowding in the jails of Bengal. There is no doubt that at the present time the jail population far exceeds the available accommodation. On top of that we had some of the jails constructed long ago and modern conditions require improvement in them. This again is a question purely of pound, shilling, pence and, I should like to say, rupees, annas, pies.

Let me point out, Sir, one question that has been raised here today, namely the question of latrine. I agree with all that has been said in this respect, and Government will certainly look into the question. I would like to inform the House that at the new jail at Dum Dum which is under construction we have provided doors and partition walls which will do away with the grievances which have been mentioned in this House. I think it is necessary and desirable, and it is one of the reforms which Government should undertake first in this jail and in other jails also when funds permit.

**Mr. SYED JALALUDDIN HASHEMY:** What about the Hindusthani jemadars?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I will come to that: don't be impatient.

**Mr. SPEAKER.** It seems that Mr. Hashemy is suffering too much from them.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** There is another thing which I would like to bring to the notice of the House, that is, that at the present time from the Inspector-General of Prisons downwards all the I.M.S. Superintendents of jails are Indians. There are only two Europeans in the district jails of Dacca and Rajshahi.

Then again one gentleman complained of the callous treatment of the doctors. Sir, I speak subject to correction: most of the doctors in the district and sub-jails are Bengalis.

(A voice: Sir, is this relevant?)

It is only relevant so far as the callousness of the Hindusthani warders and jailors are concerned because it seems that the Bengali doctors are also callous and indifferent. I am not prepared to admit this. But I would like to bring to the notice of the House the complaint—

**Mr. SIBNATH BANERJEE:** I do not say they are callous, but when they fall into the system they become callous.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** While I am on this subject I would refer to another remark made that the prisoners when they are released are incapacitated and become unfit for any work. In this connection I would like to give you the statistics of release in 1936: 54,254 prisoners were released; of these 26,380 gained in weight (A voice: Probably by taking *lapsi*); 23,932 remained stationary; and 6,942, out of the total of 54,254 lost their weight. It works out at a percentage of less than 15 per cent. If people do not lose their weight then certainly they are not incapacitated for future work.

May I read out to you a statement made by Mr. J. L. Banerji in 1927 in this House regarding the food supplied in jails?

"I know that many of my friends are ready with sarcastic expressions about the toghsome character of the *lapsi* or porridge supplied

for morning meals in jails: but speaking deliberately and with a full sense of responsibility I should say that the scale of dietary prescribed for jails is sufficient and generous."

**Mr. JOGESH CHANDRA GUPTA:** How many other contrary statements did he make?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I have also heard similar remarks from other persons who have been in jails and perhaps have been there at the same time as Mr. Hashemy. They are equally respectable and members of the Legislature of Bengal: they had no complaint whatsoever about the food supply.

My friend Mr. Aulad Hossain said that he gave a surprise visit to inspect the diet of the particular jail of which he is an honorary visitor and he found that the *dal* that was prescribed was not given but another kind of *dal* was given. He did not say that the quality was bad or the quantity was small. All that he said was that the kind of *dal* that was prescribed was not given. It is quite possible that on that day the contractor ran short of that particular kind of *dal*. Certainly there was not great abuse in the quality of food that was supplied in that jail.

In Bengal we spend more on diet per head of jail population than any other province of India including the congress provinces.

**Mr. PRAMATHA NATH BANERJEE:** Let us all go to jail and increase our weight including the Home Minister.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I don't think it will help me: I want to reduce my weight.

**Mr. NIHARENDU DUTTA MAZUMDAR:** The Hon'ble Home Minister's purpose will be served if he is put to the *ghani* in the jail and made to work there.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** As far as Mr. Dutta Mazumdar is concerned, he is one of those fortunate individuals who insisted on being put in class I and he got class I. He did not want to keep company with his congress friends and fellow brothers, but had division I with all the comforts that can be had there.

As for Russia, he has described what is found in that country. Russia is a land of gallows and graveyards.

One member reminds me of the facilities for saying prayers. As far as the Jail Code is concerned I have made enquiries from the Inspector-General of Prisons and he informs me that in all district jails facilities are given to those who want to say their prayers; facilities are also given for *Jumma* prayers. I am not sure about the condition in the sub-jails, and I propose to enquire whether facilities are given there to those who want to adhere to their religious observances irrespective of caste or community.

**Mr. SIBNATH BANERJEE:** Will the Hon'ble Minister say something about the Kambal parade?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** It may be one of the things that require improvement.

Very great stress has been laid on teaching and improving the prisoners' morality and conduct and reforming them from the bad ways of life. There is one danger in trying to do that. We may be accused of turning the political prisoners into supporters of Government. If any reforms are to be undertaken with regard to the political prisoners that must be done with great care and caution. Coming back to the serious side there is no difference between political prisoners and ordinary prisoners. All prisoners are treated alike and no differentiation is made between them.

**Mr. M. SHAMSUDDIN AHMED:** But European prisoners are classed as Europeans and are allowed separate blocks.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I am talking of political prisoners and ordinary prisoners. Mr. Shamsuddin understands who they are. I am not comparing the European prisoners with the Indian prisoners. That is a different question altogether.

Another member suggested that in the jails tobacco, wine and *ganja* are smuggled and to stop this smuggling the prisoners should be allowed to smoke; the logical conclusion of allowing the prisoners to smoke tobacco or *ganja* or to drink wine would be the total stoppage of smuggling.

The question of allowing the prisoners to smoke has recently been tried in England as an experiment. It has got many aspects, and it is extremely doubtful whether the experiment is worth trying here. Still I will look into this question and consider all the points in favour of or against the proposal to allow the prisoners to smoke. But I think it will create bitterness and jealousy and it will increase the chances of

corruption. Differential treatment and all other things will come as a result of giving this concession. So the practical difficulties are great.

Mr. Aulad Hossain, again, if I may refer to him, suggested the placing of a complaint box. Here again although the suggestion is a laudable one the practical difficulties are immense. If we accept the proposition that those who complain are severely dealt with, the mere fact that they are allowed to put in writing their complaints in a box will not help them much because the warders will be able to know the persons who are lodging the complaints. So instead of getting any redress of their grievances by putting in complaints in the complaint box there will be retaliation by the warders and the jailors. The question is interdependent again on the question of finance. In most of the district jails we have got part-time Superintendents and for all jail reformation it is essential that there must be whole-time Jail Superintendents. Here the question of funds comes in. It is not possible to control the subordinate staff unless a whole-time Superintendent is made responsible for discipline and for observance of rules and orders.

Government try their level best to keep apart the juvenile offenders from the habitual criminals but the number of Borstal Schools and Reformatory Schools is extremely limited and the juvenile offenders far exceed the accommodation available in those schools. Therefore to give effect to the suggestion for special treatment to juvenile offenders it is necessary to have more reformatory and Borstal schools. We are also making an attempt to keep the habitual offenders away from those who come in for the first time. But all these are as far as accommodation will permit, to ease the situation about accommodation. We generally give remission to all those whose conduct has been good and who have been convicted for the first time and are not habitual offenders; as much as half of the term of imprisonment is remitted in certain cases. The question of recreation which has been suggested by Mr. Miles is again one of funds. One difficulty against providing more recreation is that at the present time the lighting arrangements in jails are very unsatisfactory. The light is not enough to give these convicts a chance of either reading after 6 o'clock or to play a game unless they are near the light. This is a direction in which reform should be undertaken immediately I think. Then again I would certainly enquire and look into the complaint made by one of the speakers about the persistent repetition of numbers 1 to 32 and about the equipment in the rooms which is kept up from 9 o'clock to 4 o'clock. I will make enquiries and see that this practice is stopped.

As regards the classification of prisoners, as the House is well aware, as soon as this session is over I will take up this question and

go into it thoroughly. Similarly, I have made a careful note of the speeches of the various honourable members of this House and I intend to ask the Inspector-General of Prisons to go into it carefully, and I will myself as far as possible take a personal interest to see how far the reforms can be effected and how soon they can be effected. With these words, Sir, I oppose the cut motion.

The motion of Mr. Atul Chandra Kumar that the demand of Rs. 42,99,000 under the head "28—Jails and Convict Settlements" be reduced by Rs. 100 (Reforms of jail administration) was put and lost.

**Mr. BIRENDRA NATH MAZUMDAR:** Sir, I beg to move that the demand of Rs. 42,99,000 be reduced by Rs. 100.

Mr. Speaker, Sir, my object in moving the first resolution, that is, No. 514, is to protest against the system of removing detenus and convicts outside Bengal, be it to the Andamans across the seas or to Deoli across the deserts of Rajputana. In both cases the position is almost the same. The surroundings in both cases are equally hostile to a Bengali; the climate is different, culture is different, people are different, everything that is necessary for a human being is different equally in the Andamans and Deoli. I need not go into the question as to how the Andamans was closed for prisoners, because the fact was in details dealt with by Mr. Syama Prasad Mookerjee on the floor of this House, and it is thus known to every honourable member present. I do not choose to repeat. I can very well understand how and why the Andamans was revived by the last Government. I can understand the policy of the last Government,—I can understand the policy of the honourable members sitting over there—I mean the European group. Whatever may be said with regard to everybody else in this House, even to-day when I heard one honourable member of the European group I found very little change in his mental attitude towards this question. I remember how on that particular day Mr. Syama Prasad Mookerjee was interrupted by one honourable member of the European group. He named certain places which had penal settlements of their own; but when he was asked if England had a penal settlement, he had to admit that there was none. Therefore it is very difficult to follow these gentlemen for the simple reason, that what they think to be a very grievous wrong in their own country, they always think that to be just and proper as soon as they cross the Suez Canal and come over to India. It is not necessary however, anybody to argue with them at length, because the interests of the Europeans in this country are different from and opposed to the interests of the people of this country. I can quite understand them, for the simple reason that I know, they have not come over to India for having a dip

into the holy waters of the Ganges: they want to have a dip into something else. That something else everyone knows and sending prisoners and detenus beyond Bengal is only a measure in the attainment of that particular dip. But what so long I failed to understand was the attitude of our Hon'ble Ministers. It has been repeated several times on the floor of this House by the Hon'ble the Chief Minister that a change has been introduced into this country with the coming in of the Provincial Autonomy, and the change is a change in the angle of vision. So long it was the acute angle or the obtuse angle but to-day it is invariably a right angle. That reminds me of my younger days at school. I was a bad hand at drawing and whenever I was asked to draw a right angle and I had to draw it, it was always an acute angle or an obtuse angle but never a right angle; and I had to make up by putting down below "Let ABC be a right angle"; it was only by these words that I could show that mine was a right angle. So, simply stating that the view, point or the angle that they are drawing is nothing but a right angle or repeating it or asserting it, is not the way of drawing a right angle. People will go behind it and they will find for themselves by measurement whether it is exactly a right angle or not. I just ask the Hon'ble Ministers to say for themselves whether it was exactly a right angle when they gave their unqualified support to the police in Bengal. I ask the Hon'ble Ministers just to say whether it was a right angle when they supported that act of the police the other day just before the Town Hall. But at the same time I may assure them that when it will be a question of right angle it will not be necessary for the Hon'ble Ministers to say that theirs is a right angle.

Now, Sir, the other day on the floor of the House the Hon'ble the Home Minister, I believe on two occasions, he said, as a matter of fact, he agreed to the principle that nobody should be sent away beyond the borders of Bengal. With regard to the detenus the Hon'ble the Home Minister made a statement that he was going in the very near future to repatriate them. If he does it—here I must remind our Minister that there is always such a thing as a graceless act of justice when it is a belated one—if he does it immediately, whether the Hon'ble Minister says so or not, everybody would admit it is a right angle. With regard to the question of repatriation it was with a very heavy heart that I was going to move my motion, because we were before the shadow of not one death, not two deaths but, if I may use the expression, of mass deaths. It is impossible for anybody to speak with moderation with such a shadow before him; and when we found day after day the Hon'ble Ministers saying that the grievances of these people would not be looked into so long as they did not give up hunger strikes, I always thought that it was an acute angle or an obtuse angle. The question is whether these people have got grievances; if they have just grievances, do remedy them and do not stand of false prestige.

(The Hon'ble Mr. H. S. SUHRAWARDY: It is not prestige, it is discipline.) The Hon'ble Mr. Suhrawardy says it is not prestige, it is a question of discipline. I would say it is a wrong sense of discipline to keep alive grievances of the people and then ask them to submit to those grievances in the name of discipline. It is not discipline—it is arbitrary imposition of your will which should be the duty of the Government always to avoid. In this opinion I am supported by a far greater authority than myself. I have gone through the Pearson Committee's Report; that Report says that as soon as there is a question of hunger-strike, it is the bounden duty of Government to make enquiries into the grievances and, if there is any just reason for removing those grievances, to remove the grievances and communicate this decision of the Government to those people; if even after that decision they would not give up their hunger-strike, there is no help. That is the policy which was chalked out by the Pearson Committee for the conduct of the Government on this particular point. They certainly were not Congress members and were not speaking for the Congress members. I therefore say that it is only reasonable to look into the grievances first and then communicate the decision of the Government to them and if they are just grievances they should be asked to give up their hunger-strike on the understanding that the grievances will be redressed; and that is why it was repeatedly asked on the floor of the House whether the Hon'ble Home Minister was going to communicate his decision to the prisoners of the Andamans. To-day, however, we learn with great relief that they have given up the strike save and except seven of them and we hope and believe that these seven also under the altered circumstances will give up their hunger-strike.

To-day the Hon'ble Minister has given another undertaking before this House, and I know he has also issued a statement to the public which I find published in the Statesman of to-day, that soon after this he will consult the leaders of this House and in consultation with them come to a decision on the question of repatriation. The Hon'ble Home Minister, if I do really understand him aright, is disposed favourably towards this question of repatriation. I do think that our popular Ministers will be more popular only the moment they get rid of the shadow which is being cast over them from the bench opposite I mean their European group. That is a shadow which continues to influence their action even to-day and, if the Congress want anything, if the Congress ever wanted anything, it is to remove that shadow cast by our British rulers. I submit therefore that it is time that Government should think of repatriating home all those persons who are now far away from Bengal—the detenus as well as the prisoners. In this particular motion of mine I made it clear that I moved it not for simply political prisoners but for all convicts sent out of this province. We

feel for them equally and the climatic surroundings are equally hostile to them all. After all it is no use saying that the Andamans has considerably improved since it was abandoned as a penal settlement. It is very easy to say that it has improved from within the comfortable walls of this House. When one knows perfectly well that he is not going to that place, it is very well of him to say that it is a very nice place for these prisoners to go to. I do think that our Hon'ble Minister will be doing an act of right kind if he will agree to repatriate soon everybody, i.e., every prisoner including the detenus, who is living beyond the borders of Bengal. My motion does not deal with the question of justice or injustice of keeping people under detention without trial but it relates only to the question of policy of sending prisoners beyond the borders of Bengal.

With regard to the question of expenditure, my motion No. 525, I do say that I disagree with my European friend who spoke on this matter. He said that if the prisoners were repatriated home it would considerably increase the expenditure of Government. How that will be, I do not understand? It is for the Tea Cess Committee and those connected with European business concerns to work out the figures; we Indians do not know how that is possible. On the other hand I should say that it is a necessary corollary to repatriation. The moment the Hon'ble Minister repatriates them, there will necessarily be a considerable reduction of expenditure also.

Sir, with this end in view I move the motion standing in my name.

**Maulvi ABU HOSSAIN SARKAR:** I support the motion moved by Mr. Birendra Nath Mazumdar on the ground of humanity alone. I consider that the jails of Bengal are so many institutions of vengeance. In other countries of the world—I mean some of the advanced countries—the prisoners in the jails are scientifically inspected, examined, and sometimes medically, in order to find out why they commit crimes and if the cause is detected a particular treatment or attention is given to them, so that after coming out of the jails they might be peaceful citizens of the world. But here in Bengal when a man is put within the four walls of the jail, nobody takes care of him. Legislators pass laws, prescribing jails for particular offences and there are judges and magistrates who convict persons, and I think sometimes expecting promotions and other rewards from the Government and there their duty ends; other persons such as lawyers, mukhtears and the witnesses, who appear for prosecution in any case, do not think of the convicts when they are sent to jails. Now, Sir, whatever may be the case, I think the jail is an important institution and the question of making it habitable should be the concern of all, even of the legislators and the Cabinet Members too. In the Congress provinces, Sir, I think the

Cabinet Ministers may some day or other have to go to jails, and here in our Cabinet also I think some of our Ministers narrowly escaped from going to jail, and I do not know whether after coming out from the Cabinet they will have to go to jail again or not. (A voice: For what offence?). I do not suggest that now. Sir, the jail is an important institution, and it must be made habitable. I spoke about our Cabinet Ministers, and I now come to my coalition friends. In this connection I think I can point out at least two of them who courted jail during the Khilafat Movement; one of them is Maulvi Tamizuddin Khan and the other is Maulvi Ahmed Hossain. In this House I think amongst the Congress and Krishak-Praja members, about 90 or 95 per cent. of them are jail birds. (A voice: • Glorious.) Amongst the lady members Mrs. Hemaprova Mazumdar courted jail on several occasions and of the Moslem lady members I say some of the Moslem ladies too courted jail during the nationalist movement, one of them is Daulatanessa Begum from my constituency and other Hosenara Begum, wife of one of our sub-editors of "Azad." Therefore I submit that it is in the interest of ladies also that the jails should be made habitable. Now about the Ulemas—

**The Hon'ble Sir Khwaja NAZIMUDDIN:** On a point of order, Sir. Is the hon'ble member in order to discuss the subject that was discussed in the previous resolution about the policy of jail administration?

**Mr. SPEAKER:** I am afraid Maulvi Abu Hossain Sarker should strictly confine himself to the motion for removing convicts and persons interned out of the province and the Ulemas may now be left.

**Maulvi ABU HOSSAIN SARKAR:** Now, I was speaking about the conditions of prisoners in jails. It is practically now certain that the prisoners will be repatriated to our provincial jails. If they are brought back, the conditions of jails should be made tolerable for those prisoners, and I mean that these conditions must be such that all sections of our population should live there comfortably.

Sir, I would draw your attention to the particular fact that we want to court jails and to be transported some time out of necessity. I may remind the House—

(Here the member having reached the time-limit, resumed his seat.)

The House was then adjourned for 15 minutes.

*(After adjournment.)*

**Babu MANORANJAN BANNERJEE:** Mr. Speaker, Sir, I beg to move that the demand of Rs. 42,99,000, under the head "28—Jails and Convict Settlements," be reduced by Rs. 100. (Present Administration of Jails).

Sir, the manner in which the present administration of the jail department is carried on leaves little room for doubt that the object of Government is nothing but punitive. Sir, I think the object of Government should be to deal with the prisoners in such a way that when they come out of the jail they can come out as better citizens, so that they can pass their lives as good citizens in future. The whole angle of vision of the western countries, so far as jails are concerned, has changed. There the prisoners are accorded a treatment which no longer is punitive but reformatory. Prisoners there are treated, more like diseased people and every care is taken for their improvement so that when they come out of the jail they make better citizens. Moreover, there every step is taken with this object in view but in Bengal and India things are otherwise. Once a criminal he is always a criminal here. He comes out of the jail more hardened and unfit for any work. This state of affairs can no longer continue. It is time therefore for Government to change their system of jail administration lock, stock and barrel, and jails should be made as so many centres for industrial institutions for prisoners and not only centres of punishment.

Now, Sir, I come to the question of classification of prisoners. Just now the Hon'ble the Home Minister said that there is no distinction between political prisoners and other kinds of prisoners but my submission is that I do not agree with this contention of the Government. Political prisoners should be made into a class by themselves. In all western countries people who have committed crimes with a political motive and against the constitution are differently treated and that should be done in India also. I do not like the provisions as they prevail in Bengal. In the Jail code provision is made for the classification of prisoners according to the status and standard of living of the prisoners in society. But this provision is not followed in practice. I know of cases where educated men and women who are entitled to be treated as Division II and I prisoners have been treated as Division III prisoners. Take for instance the case of Miss Suniti Chowdhury, who is now serving her term in the Dacca Central Jail. She is living there in association with ordinary criminals; she is aged 22 and is educated both in the vernacular and English, and her father is a Government pensioner. Yet, in spite of all this she has not been considered to be accustomed to a better standard of living than the ordinary criminal. I can cite any number of cases like this. Even this classification of

prisoners is dependent on the whims and caprices of the authorities. I know of cases where men entitled to division I or division II have been treated as division III prisoners. Take for instance the cases of Prasanta Sen and Adhir Ratan Nag. These two persons were convicted to a sentence of 7 years' rigorous imprisonment, but the Sessions Judge of Dacca who tried this case as a special judge, in consideration of the status of the prisoners and their mode of living in society, recommended that they should be treated as division II prisoners. For some time they were treated as such, but afterwards they were sent to the Andamans and there they were treated and even now are being treated as division III prisoners, with the result that their health has been completely shattered.

I will now come to the question of sending our prisoners outside our province. Why should our prisoners be sent far away from the province? The climate of those places and the diet of those places may not be suitable to them as they are not accustomed to that climate and that diet. Bengal Sir, has sufficient jails for punishment. I therefore think that they should not be sent to other provinces or to the Andamans. If these prisoners were not sent away to the far-away Andamans, far away from their homes, if they were accessible to their relatives and friends and to leaders of public opinion who could have approached them, they would have been in a position to persuade them to give up their hunger-strike much earlier. Therefore I appeal to the House in the name of humanity and all that is good in human life that the present cabinet and especially the Hon'ble the Home Minister should pass immediate orders for their repatriation, and I also submit to them that the Andamans islands as a penal settlement should be abolished altogether or at least so far as Bengal is concerned.

**MR. NISHITHA NATH KUNDU:** Mr. Speaker, Sir, I rise to support the motion moved by Mr. Birendra Nath Majumdar. In considering the motion we have to acquaint ourselves with the circumstances under which political prisoners were sent to the Andamans and the recommendations of the Jail Committee which were submitted by them in the year 1919-20. That committee was appointed to investigate into the jail administration of India and the Andamans and they consisted of prominent persons with wide experience of prisons including the Inspector-General of Prisons of the Home Office, London. This committee visited many jails and reformatories in the United States of America, in Great Britain, in Japan, in the Philippines, in Hong Kong, in India and in Burma.

This Committee examined many expert witnesses and had interviews with others who were connected with prisons and prisoners in

many ways. A huge expenditure was also incurred. The report submitted by the committee was a wonderful product, but the mountain in labour produced a mole hill. Little or no action was taken to give effect to these recommendations.

I would like to draw the attention of this House to the facts mentioned in that report, especially with reference to the future of the penal settlement. The relevant paragraphs are 553 to 566 of the Indian Jails Committee's Report, 1919-20. I have summarised these paragraphs in the language of the report as far as possible for convenience of discussion. It was discussed in the report whether a settlement of freed and reformed convicts may be developed at Port Blair. It was decided that if any fresh attempt at colonisation was to be made it must be made in an entirely new locality. Various difficulties were felt in starting such colonisation in a new locality, and it was thought inadvisable to incur the responsibilities and the expenditure that would be involved in the creation of a fresh penal colony. Other alternatives suggested were—

- (i) the continuance of the present system at Port Blair with such improvement as experience has proved to be necessary;
- (ii) the entire abandonment of the Andamans as a penal settlement and the retention in Indian jails of the whole of the criminals who are now transported to the Andamans; and
- (iii) an intermediate course by which, while the Andamans are not entirely abandoned, the character of the system, there, would be radically changed.

The continuance of the existing system was strongly deprecated on the ground that excessive size of the convict population consisting of an admixture of races, castes and religion would never be likely to work well, that enormously heavy expenditure on staff would be necessary, that extra expenditure would be involved in effecting transfer of convicts from Indian jails to the Andamans, that the men who commit the crimes for which they are deported to the Andamans are often some of the least corrupted members of the prison population and therefore there is no special reason for deporting them to the Andamans, that many who are sentenced to transportation are kept in the Indian jails and that if some of such convicts can be kept in the Indian jail there is no invincible reason why the rest also cannot be kept there and that the deterrent effect of the transportation has been lost. On these and other grounds retention of the penal settlement on present lines was not recommended.

Reasons in favour of entire abandonment were as follows:—

- (i) That as already noticed transportation no longer produces the terror it was once supposed to inspire;
- (ii) that as we have already shown, it must be more expensive to maintain a convict there than in an Indian prison;
- (iii) that the removal of a prisoner far from his home and the almost complete severance which this involves of all ties with friends and relations is demoralising and undesirable;
- (iv) that it is difficult to supply those reformatory influences which we have recommended for all Indian prisons, such as the attendance of religious teachers, the provision of education and the attempts in other ways to fit the prisoner for eventual release;
- (v) that in the absence of any large free population there would be no educated public opinion to restrain the prison authorities or to see that the reforms so undoubtedly necessary in the settlement are properly carried out; and
- (vi) that the climatic conditions will always be unfavourable to the health of the convicts, drawn as they are, from various parts of India. On these grounds it is argued that the settlement should be entirely abandoned and that the exploitation of the islands should be made over wholly to private enterprise."

There are reasons given also against the entire abandonment. The committee recommended deportation in a very restricted manner and in a very special case but recommended schemes for the eradication of malaria and for the selection only of healthy and non-malarious sites for the purpose. The whole report is full of sympathy for the convicts, and there is touch of humaneness everywhere unlike the replies we received from the Hon'ble the Home Minister whose attitude will ever be condemned however much he may be proud to think that he is no inferior substitute of the steel framed Government of bureaucratic fame of the past. The replies that we received from the Hon'ble Minister to the short notice questions regarding the hunger-strike are condemned by all (hear, hear from the Coalition group).

**Mr. PRAMATHA NATH BANERJEE:** And the taunting cheers of the Minister for Labour.

**Mr. NISHITHA NATH KUNDU:** After the Jail Committee's report had been published the future of the penal settlement at the Andamans was continually under consideration of the Government of

India from time to time and in the year 1926 it was definitely decided that only those convicts should normally be sent to the Andamans who volunteered to go there. It is in disregard of the principles formulated in the Jail Committee's report, in disrespect of the decision of the Government of India and of the feelings of the Indian public the penal settlement is used to further penalise the political prisoners who are already penalised—

(Here the member having reached his time-limit, resumed his seat.)

Mrs. Hemaprova Mazumdar spoke in Bengal in support of Mr. Birendra Nath Mazumdar's motion.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Sir, I had hoped that after the statement made by the Hon'ble the Chief Minister to-day and the statement of policy announced by me with regard to detenus outside Bengal, there would be no necessity to move the motions which have been moved to-day. But it is obvious that the Opposition do not seriously press this question in view of our statements, because the front-benchers of the Opposition have not supported the motions. Sir, no useful purpose will be served by my repeating the policy of Government again with regard to the detenus and the Andamans prisoners. It is well known to the House. I do not propose also to deal with the criticisms on the question of those detenus who are outside Bengal, because they will soon be brought back. Preparations are already being made for bringing the Deoli prisoners to Bengal, and the other State prisoners and Regulations III prisoners will also be brought back to Bengal as soon as arrangements are made for their reception (A voice: Reception!) Yes, that is the word used by members on that side of the House.

Then, Sir, one of the members of the Opposition, I believe the members from Dacca, Mr. Birendra Nath Mazumdar, referred to the Pearson Committee's Report on hunger-strike. The report says that if there is a genuine grievance for which a hunger-strike has been resorted to, and if Government are convinced of the genuineness of such a grievance, then Government ought to remove it without waiting for the calling off of the strike. What the Committee meant is that if there is a grievance in regard to the condition in which a prisoner has been placed or in regard to a treatment to which he has been subjected, then Government ought to look into the question without waiting for the hunger-strike being given up. Further, supposing there are grievances about food that certain prisoners are entitled to get but which they are not actually getting, in that case if Government think that they are justified in their demands, Government will not wait till the hunger-strike is called off to look into the matter. But if prisoners

want to change the conditions of their jail life by means of hunger-strike, the recommendations of the Pearson Committee do not apply to that case, and therefore Government have to stand out. But now this is a purely academic question, because Government will be discussing the question of repatriation with the leaders of the various groups.

Mrs. Hemprova Mazumdar has made a number of statements in a definite and categorical manner as being within her personal knowledge. It does not look well to contradict a lady and on this occasion I do not propose to contradict her; but there is one statement which, she says, she has made on hearsay evidence and that I am in a position to contradict, because I saw Suniti Chaudhury personally in the Dacca Jail. She was asked in my presence whether she had any complaints whatsoever to make and the only complaint she made was that she did not like the companion who was given to her, and that she wanted somebody else. As regards the wonderful medicine to which she has referred as a panacea for all evils, (A VOICE: Does it reduce fat also?) I have nothing to say except that the standard of health in jails is much above the average standard of health of people outside.

Then, Sir, my friend and one-time colleague, Mr. Monoranjan Bannerjee, in a maiden speech to-day has dealt with the question of reforms in the Jails administration. One thing that is rather curious is his statement, once a criminal, always a criminal, because, as another member has said, 95 per cent. of the members of the Opposition have been in jail some time or other. (MR. BARODA PRASANNA PAIN: Once a Minister, always a Minister!) Then, Sir, Mr. Kundur has read a long report about the Andamans but in view of the recent events, I do not think that is relevant at the present moment. Sir, great stress has been laid on the treatment of political prisoners—especially by gentlemen who are admirers of the administration in Russia. I am afraid in Russia, Germany and Italy, political prisoners are treated in quite a different manner from that in which they are treated in Bengal. (A VOICE: They are shot down like dogs wholesale.) One member says, they are shot down like dogs. (DR. NALINAKSHA SANYAL: That is more honourable than what is done in Bengal.) Personally, Sir, I do not think it would be advisable to make a differentiation between people who shoot down for political purposes and persons who commit murders for various other reasons—(A VOICE: What is British Government doing in Peshawar?)—and I think, Sir, murder is murder whatever may be the motive behind.

As I have said before, Sir, there has been a great deal of improvement in the administration of jails, and Government will try their level best to give effect to further improvements as soon as funds permit.

The motion of Mr. Birendra Nath Mazumdar was put and lost.

The motion of Mr. Monoranjan Bannerjee was then put and lost.

The motion of Mr. Manoranjan Bannerjee that the demand of Rs. 42,99,000 under the head "28—Jails and Convict Settlements" be reduced by Rs. 100 (present administration of jails) was put and lost.

**Mr. SPEAKER:** It think it will be convenient if I put the main demand now that a sum of Rs. 42,99,000 be granted for expenditure under the head "28—Jails and Convict Settlements."

The motion that a sum of Rs. 42,99,000 be granted for expenditure under the head "28—Jails and Convict Settlements" was put and carried.

### **Adjournment.**

The House was then adjourned till 3-45 p.m. on Tuesday, the 31st August, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of the Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 31st August, 1937, at 3-45 p.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. 'AZIZUL HAQUE, C.I.E.),  
in the Chair, the eleven Hon'ble Ministers and 213 members.

**STARRED QUESTIONS.**

(to which oral answers were given)

**Expenditure for the summer exodus of 1937.**

\*89. MAULVI ABUL QUASEM: (a) Will the Hon'ble Minister in charge of the Finance Department be pleased to state the total amount of expenditure incurred by the Government for the Darjeeling exodus in May and June last?

(b) Will the Hon'ble Minister be also pleased to state—

- (i) the number of occasions on which the different Hon'ble Ministers had to come down to Calcutta during the period;
- (ii) the business for which they had to come down; and
- (iii) the cost incurred by Government on this head alone?

**MINISTER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker):** (a) About Rs. 46,000.

(b) (i) and (ii) A statement is laid on the Library table.

(iii) Rs. 3,100.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state the nature of the official business that necessitated the Hon'ble the Finance Minister to come down to Calcutta?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I came down in connection with some work relating to the preparation of the budget.

**Dr. NALINAKSHA SANYAL:** What was the business that necessitated the Hon'ble the Revenue Minister to come down to Calcutta?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I cannot say.

**Maulvi ABDUL BAFI:** Is the Cabinet thinking of giving up the next exodus?

**The Hon'ble Mr. NALINI RANJAN SARKER:** We have not yet decided.

#### **Cess defaulting estates in Khulna.**

**\*90. Babu NAGENDRA NATH SEN:** (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing the number of estates with their tauzi number in the Khulna district under attachment under section 99 of the Cess Act on the 31st March, 1937; with the following particulars in each case—

- (i) the date of attachment;
- (ii) the arrears of cess due at the date of attachment;
- (iii) the arrears of cess due on 31st March, 1937;
- (iv) the annual cess demand;
- (v) the annual cess demand during the proceeding cess revaluation period;
- (vi) the cost incurred from the date of attachment till 31st March, 1937;
- (vii) the total amount collected during the period of attachment; and
- (viii) the agency by which the collections are made?

(b) Are the proprietors consulted in the matter of the selection of collection agents?

(c) Are the proprietors furnished with any list of names of defaulters against whom proprietors' demand is going to be barred by limitation?

(d) Are any suits instituted against such defaulters or certificate proceedings instituted against them for realisation of arrears?

(e) Are the proprietors or tenure-holders supplied with collection papers of the period during which estates or tenures are kept under attachment?

(f) Are objections invited, heard and decided before attachment?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):** (a) A statement is placed on the Library table.

(b) and (c) No.

- (d) Not in all cases.
- (e) They are supplied with carbon copies of rent receipts issued.
- (f) They are not invited but are heard and decided, if preferred.

**Babu NAGENDA NATH SEN:** With reference to question (c), why are not proprietors furnished with the names of defaulters? Are they not entitled to that?

**The Hon'ble Sir, BHOY PRASAD SINGH ROY:** No, Sir.

### UNSTARRED QUESTIONS.

(to which answers were laid on the table)

#### Percentage of Muhammadans in ministerial posts in the offices of District Judges and Munsifs.

**56. Mr. SYED ABDUL MAJID:** (a) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state—

- (i) the percentage of Muhammadans in ministerial posts in the offices of the District Judges and Munsifs in Bengal in (1) the upper and (2) lower divisions; and
- (ii) the total number of such appointments made in those offices from January, 1934, to June, 1937?

(b) Is it not a fact that the percentage of Muhammadans in ministerial posts in the various offices are far below the required standard?

(c) If the answer to (b) is in the affirmative, will the Hon'ble Minister be pleased to state what steps are being taken by Government for securing the same?

**MINISTER in charge of JUDICIAL AND LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur):** (a) The information is not easily available in the form in which it is requested. Copies of the annual statements obtained by Government from District Judges for the years 1933-34 to 1936-37 which contain substantially the information asked for are laid on the Library table.

(b) In 12 districts the minimum percentage is exceeded in the figures of 1936-37, and in 8 districts the percentage employed is less than the minimum.

(c) By means of the annual statements Government keep themselves informed of the position and the attention of District Judges is drawn

when the number of appointments of Muhammadans appears to be inadequate. It will be noted that in almost all of the deficit districts there has been an improvement since 1933-34.

**Number of Muslim Public Prosecutors and Government Pleaders.**

**57. Mr. K. NOORUDDIN:** (a) Will the Hon'ble Minister in charge of the Judicial Department be pleased to state the present number of Muslim Public Prosecutors and Government Pleaders in the following districts:—

- (1) 24-Parganas;
- (2) Nadia;
- (3) Hooghly;
- (4) Howrah;
- (5) Burdwan;
- (6) Birbhum;
- (7) Bankura; and
- (8) Midnapore?

(b) Were the claims of Muslim lawyers duly considered in making these appointments?

(c) If the number of Muslim lawyers are comparatively small, is the Hon'ble Minister considering the desirability of issuing instructions to District Officers for appointing suitable and qualified Muslim lawyers in future vacancies in the districts?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**

(a)—

	Government Pleader.	Public Prosecutor.
24-Parganas ..	1 Hindu ..	2 Hindus.
Nadia ..	1 do. ..	1 Muslim.
Howrah ..	1 do. ..	1 Hindu.
Burdwan ..	1 do. ..	1 Muslim.
Midnapore ..	(The post is now vacant and the matter is under consideration of Government.)	

**Government Pleader and Public Prosecutor  
(combined post).**

Hooghly ..	1 Hindu.
Birbhum ..	1 do.
Bankura ..	1 do.

(b) Yes.

(c) The rules for the recruitment of the above lawyers are under consideration. The appointments are made by Government after consulting the Public Service Commission and I intend to see that qualified Muslims, if available, will secure a due share of these appointments in future vacancies.

**A Muhammadan Member:** Will the Hon'ble Minister be pleased to state how Public Prosecutors and Government Pleaders are recruited now?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** New rules have been framed but have not yet been published.

**Dr. NALINAKSHYA SANYAL:** Has any special category been made out by Government under the nomenclature of Muslim Public Prosecutor?

**Mr. SPEAKER:** I think, Dr. Sanyal, it is a frivolous question.

**Proportion of different communities in the posts of Inspectors and Auditors of Co-operative Societies, Bengal.**

**58. Mr. ABUL HOSAIN AHMED:** Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

- (i) the total number of Inspectors of Co-operative Societies in Bengal;
- (ii) the number of them that are—(1) Hindus; (2) Muhammadans and (3) of other nationalities;
- (iii) the total number of Inspectors to be recruited this year;
- (iv) the total number of Auditors to be recruited this year;
- (v) the proportion at which the above appointments will be allotted to (1) Hindus and (2) Muhammadans; and
- (vi) the latest order of Government fixing the proportion of each of the different communities in the above services?

**MINISTER in charge of CO-OPERATIVE CREDIT AND RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick):** (i) 84.

(ii) (1) Hindus—45; (2) Muhammadans—35; and (3) other communities—4.

(iii) to (v) The hon'ble member is referred to the answer to starred question No. 8 given at this session of the Bengal Legislative Assembly on the 2nd August last.

(vi) The latest order of Government fixes the proportion of Muslims in the posts of Inspectors and Auditors at 40 per cent. No proportion has yet been fixed for the representation of other communities.

**Babu KSHETRA NATH SINGHA:** Are the scheduled castes included in "other communities" or in "Hindus"?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I think they are included in "other communities".

**A Muhammadan Member:** Does the Government intend to raise the percentage of Muhammadan appointments?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** The percentage of 40 was arrived at by a previous Government in January, 1928. This will certainly be revised by the present Government.

#### **Communal representation in Secretariat services.**

**59. Mr. SHAH SYED COLAM SARWAR HOSAINI:** Will the Hon'ble Minister in charge of the Finance Department be pleased to lay on the table a statement showing the relative strength at present of the communal representation on the Secretariat services in all the departments?

**The Hon'ble Mr. NALINI RANJAN SARKER:** A statement is laid on the Library table.

#### **Appointment of Muslims as Assistant and Sub-Assistant Surgeons.**

**60. Maulvi AFTAB HOSAIN JOARDAR:** (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to lay on the table a statement showing for the last five years—

(i) the number of Muhammadans that were appointed—(1) permanently and (2) temporarily as Assistant and Sub-Assistant Surgeons; and

(ii) the total number of appointments?

(b) What steps are taken to reach the minimum percentage of appointments of Muslims to these posts?

**MINISTER in charge of PUBLIC HEALTH AND LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Maulvi Syed Nausher Ali):** (a) A statement is laid on the table.

(b) There has been no deficiency in the proportion of Muhammadans appointed as Assistant Surgeons since 1932 calculated in accordance with the percentage of  $33\frac{1}{3}$  fixed for such appointments.

The proportion of Muhammadans appointed as Sub-Assistant Surgeons since 1932 is somewhat less than the percentage fixed owing to fractional proportions having been left out. This matter is under my consideration.

*Statement referred to in the reply to unstarred question No. 60, showing the total number of officers appointed permanently and temporarily as Assistant and Sub-Assistant Surgeons for the last five years and the number of Muhammadans so appointed.*

#### Assistant Surgeons.

	Permanent.		Temporary.		Remarks.
	Total.	Number of Muhammadans.	Total.	Number of Muhammadans.	
1932	14	6	5	1	Two vacancies filled up by promotion from Sub-Assistant Surgeons in 1936 to the rank of Assistant Surgeons should be omitted in calculating the communal percentage, as communal considerations do not arise in the case of promotions.
1933	Nil	Nil	Nil	Nil	
1934	7	2	8	2	
1935	Nil	Nil	9	3	
1936	13 (includes 2 promoted Sub-Assistant Surgeons)	4	9	3	
	34	12	31	9	

Total 34 plus 31 = 65 less 2 = 63.

Total number of Muhammadans 12 plus 9 = 21, proportion due = 21.

#### Sub-Assistant Surgeons.

	Permanent appointment.	Number of Muhammadans.	Temporary appointment.	Number of Muhammadans.
1932	8	2	9	3
1933	Nil	Nil	0	3
1934	9	3	Nil	Nil
1935	5	2	17	5
1936	8	2	Nil	Nil
	30 Total appointed 30 plus 3 = 65.	9	35	11 Total number of Muhammadans 9 plus 11 = 20

Number due according to the  $33\frac{1}{3}$  rule = 21 $\frac{1}{3}$ .

## THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

### DEMAND FOR GRANT.

#### 38—Medical.

**MINISTER in charge of PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT, (the Hon'ble Maqvi Syed Nausher Ali):** On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 46,75,000 be granted for expenditure under the head "38—Medical."

Sir, in making this demand I should like to state a few facts which may be helpful for discussion of this demand by the House. The total provision for expenditure under this head is Rs. 54,45,000 of which Rs. 46,75,000 are voted and the balance, viz., Rs. 7,70,000 charged. Now, Sir, I should like to give the House a statement as to the state of expenditure during the preceding three years: In 1934-35 the total expenditure under this head was Rs. 48,21,000, in 1935-36 the total expenditure was Rs. 49,19,000 and in 1936-37 the revised budget was Rs. 49,90,000 and this year we have made a total provision for the amount already stated. This requires a little explanation. From this it will appear that the increase proposed this year, is about Rs. 4,55,000 but this is not really so. The increase as shown consists of two parts—one part is due to transfer of certain items from one head to another. That explains the increase to the extent of Rs. 2,13,000 and the real balance is Rs. 2,42,000, the details whereof will be found on page 91 of Finance Secretary's note and I do not think I shall be justified in taking the time of the House in dilating on this point any further.

Now, Sir, I may be expected, while making this statement, to state something with regard to the policy that has been followed in framing this budget. I may say at once that the budget, as framed, does not represent any policy that has been framed by the present Government. I do not either claim any credit, nor strictly speaking, I think, the House will hold me responsible for framing this budget. This budget was settled early in May when I was hardly more than a month in office and it was not possible for me, I frankly confess, to study the problem even in the least. Then, Sir, apart from this there are other factors also. All that I could do was to press for some more money to be spent under this head. In the usual way that demand has been partially acceded to. Furthermore, with regard to this budget the present Government has inherited certain legacy of commitments. We are honour-bound to make provisions for those commitments, and lastly and not the least

I confess I am a slow man, I have no pretension to any claim for experience or knowledge and I frankly confess that I am very poor in ideas, and that is why I have from the very beginning of my assumption of office, tried to enlist the sympathy of all concerned in the Medical and Public Health Administration of the country. I may state in this connection that soon after the responsibility for this Department was placed on my shoulders I had the honour of discussing some important problems of the department in an informal Conference of the leading non-official medicalmen of the province including Sir Nilratan Sarker, Dr. B. C. Roy, Dr. Ukil and several others. They were kind enough to assure me of their assistance in all respects and they especially agreed very kindly to help me with practical suggestions and they went so far as to agree to help me with schemes provided of course they were furnished with figures to which I readily agreed. Ever since that Conference I have met leading non-official medicalmen and other gentlemen of the Province interested in medical and public health administration more than once and my hon'ble friend over there, Dr. J. M. Das Gupta, I hope, will bear me out that I consulted him on several occasions when he very kindly promised me his co-operation, assistance and support in these matters. Sir, I should like to say one thing with regard to this Department. I being in charge of the Medical and Public Health Departments stand for service in relieving and preventing sufferings of humanity, and I hope I can seek and secure the unstinted co-operation, assistance and support of the different sections of the House, irrespective of their party affiliations in this matter of relief of human sufferings. My poverty of ideas, my lack of knowledge and experience and the expectation that I would get valuable suggestions of practical schemes from this Assembly are some of the reasons that made me specially slow. If I have waited, I have waited in the expectation that I would get valuable suggestions from this House in to-day's discussion. As I have already stated I stand for service and standing as I do in the position of an adviser to the healthy so that they may not fall sick and as a nurse to the sick, I hope I will get the support of all concerned, support not only of this House, but also of the entire country consisting of both officials and non-officials. For these reasons I regret I cannot announce any policy to be followed by me in future. I hope I will get the support of all, suggestions from all quarters so that I may evolve a scheme, by following which, the money that is allotted for this Department may be utilised to the fullest advantage. I cannot, Sir, as true servant of the public, do anything which is not in consonance with the wishes of my masters and not really in consonance with the wishes of the people whom I want to serve. Another thing that I want to tell the House is that I have set my heart on a specific object. I want to see that the real spirit of service prevails the whole organisation of the Medical and the Public Health Departments. The officers of the

Department must forget that they are there not for the purpose of earning a few coins; they must know that they are there for serving the country, for serving the sick and for serving people so that they may not fall sick. I have got complaints during the short period I have been in office of rude behaviour by medicalmen, doctors and others towards patients and guardians of patients. I want to see that this state of things ceases at once and I should like to issue a note of warning from the Medical and the Public Health Departments that all medicalmen must approach everything from the point of view of service and not from the point of view of anything else. They have got to be absolutely courteous to people who have approached them. With these words, Sir, I commend my motion to the consideration of the House.

**Babu JATINDRA NATH BASU:** Sir, of the various—

**Mr. SPEAKER:** I should like to know, Mr. Basu, whether you are going to move a motion of reduction or you want to speak on the main motion generally?

**Babu JATINDRA NATH BASU:** I want to speak generally on the main demand. Of the various needs of this province that have been and will be brought before this House one of the most important items ~~concerning~~ the medical needs of the Province—

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir. We are now discussing demands for grants and I submit that the time for a general discussion of the budget is over and that we can now only concentrate discussion on particular cut motions. I submit therefore that the member is out of order.

**Mr. SPEAKER:** I find that there is a certain amount of misapprehension in the minds of members. When a demand is moved, even though an amendment has not been moved, it is open to discussion and when an amendment is moved not only that particular amendment but the entire demand is under discussion. Therefore, Mr. J. N. Basu is perfectly in order.

**Dr. NALINAKSHA SANYAL:** I submit that when the whole demand is not going to be refused, it cannot be generally discussed—

**Mr. SPEAKER:** Dr. Sanyal, how could you assume that Mr. Basu is raising a general discussion? He is speaking not on a particular cut motion and I think the elementary principle of Parliamentary practice will allow a member to raise a discussion on the whole demand when it has been moved and within that demand it is quite permissible for every member to have his say. A general discussion is quite a different matter altogether.

**Mr. JOGESH CHANDRA GUPTA:** When Dr. Sanyal rose to a point of order after the remarks by Mr. Jatindra Nath Basu that he was going to speak generally in support of the demand—of course as the Leader of the Party he is entitled to be heard—I submit to you that this is a matter on which a clear and definite ruling from the Chair is necessary.

**Dr. NALINAKSHA SANYAL:** I submit that I have not the slightest intention to question your ruling. Section 79(2) of the Government of India Act says—So much of the said estimates as relate to other expenditure shall be submitted in the form of demands for grants to the Legislative Assembly and the Legislative Assembly shall have power to assent to or refuse to assent to any demand or to assent to a demand subject to a reduction of the amount mentioned therein. As Mr. Basu cannot come under any of these specific purposes I submit he would not be perfectly in order to speak generally in support of the demand. If I am correct I submit Mr. Basu is out of order.

**Mr. SPEAKER:** Dr. Sanyal, if you read the section carefully you will see that Mr. Basu is perfectly in order for the reason that the main demand has been moved. Supposing that not a single motion was given by any member it was open to any member to discuss the main demand itself and it was open to the House ultimately to give its assent or to refuse to give its assent to it. When a demand is moved it is certainly open to a member to support that demand or to oppose it. I do not know what Mr. Basu is going to say.

**Babu JATINDRA NATH BASU:** I do not think I will take up much of the time of the House and I do not wish that the time of the House should be wasted in the manner in which it has been done. Dr. Sanyal and everybody else in this House knows that Bengal has been characterised as one of the provinces in India which is most backward in the matter of public health. It is the duty of every one of us here including Dr. Sanyal and the Hon'ble Minister to see that the province is dragged out of the mire of ill-health in which it happens to be in now. Sir, the Hon'ble Minister has made it clear that the budget which he has presented does not embody the policy that he would have placed before this House had he the opportunity to frame his policy and to embody it in the budget. He has frankly told us that he had no time to look into the various questions which concern his Department, and that he had a ready-made budget before him which he had to accept for the time being. What I desire to do is to offer a few suggestions so that in carrying on the Administration of the Department and in framing its future budget, they may be kept in view. Sir, the medical organization of this province should be such as to meet its medical needs. We have some diseases which prevail throughout the year and almost all over the province, viz.,

malaria, cholera, kala-azar and others. In the matter of prevention of malaria no doubt we have got several medical dispensaries, we have certain organizations, somewhat crude, for the distribution of quinine and we have several medical dispensaries entirely maintained by the State. In certain other countries diseases like malaria have to a great extent been completely eradicated. Italy had the reputation of being a very malarious country about 35 or 40 years ago. A regular policy of draining swamps and of otherwise making the country immune was taken in hand so that malaria might not exist. They took a certain amount of time but they have been successful. Water-logging has been a fruitful source of malarial fever. The Hon'ble Minister in charge of Irrigation spoke of various projects but he did not refer to one important project which concerns not only the prosperity of the province but also the health of the province and that is the drainage of waterlogged areas. A regular systematic scheme after due enquiry should be framed so that the scheme may be adopted, taken in hand and given effect to as early as possible. Those who have been to Rome and the country around it know that some time ago Campania used to be the home of malaria. But if you now drive along the roads of Campania you will find that the swamps are drained, a large quantity of undergrowth has been removed and the province has been made almost immune from malaria. In that way we should also take steps to treat those parts of our province which suffer from malaria. In the early days of the administration of this province under the Montagu-Chelmsford System, the Minister who was then in charge of the Public Health Department said that he had thought about and had partly matured a scheme by which he expected gradually to drive out malaria from the province. He had said that Murshidabad was one of the worst affected districts of this province and he thought of taking Jangipur first and then locality after locality until the whole province became free—.

**Dr. NALINAKSHA SANYAL:** But that scheme has been held to have been an absolute failure.

**Babu JATINDRA NATH BASU:** No that gentleman did not come into office after 1923 and that scheme was never adopted by his successor. Sir, I would request the Hon'ble Minister in charge of the Medical Department who has an intimate knowledge of our medical needs, having been closely connected with the District Board of Jessore which is one of the worst affected districts—.

(At this stage the member having reached the time-limit resumed his seat.)

**Mr. SPEAKER:** We have got one and a half hours' time for discussion of this item. I propose that Dr. J. M. Das Gupta will move

his amendment and Mr. Atul Chandra Kumar will then move his. Then the debate will be open not only to the entire demand but also to the two amendments. I shall put the amendments separately and then the entire demand.

**Dr. J. M. DAS GUPTA:** Sir, I beg to move that the demand of Rs. 46,75,000 for the Medical Department be reduced by Rs. 100.

Sir, my object in moving this motion is only to draw attention to the present policy of the medical administration and to give an opportunity to the House for a proper discussion about this matter.

**Mr. SPEAKER:** It would be better if you say what you have to say in 10 minutes' time.

**Mr. J. M. DAS GUPTA:** Sir, 10 minutes' time will be quite inadequate to do justice to a huge subject like this. When I came here I came somewhat disappointed because even a cursory study of the budget is enough to convince anybody, what the Hon'ble Minister has now stated, that it is a budget without any policy at all, the real policy that was apparent was one of no policy.

Sir, the previous speaker, the member for North Calcutta, has just now stated that malaria and other preventible diseases should be made to disappear from this province; but he has not indicated any way of doing that. After all, if the administration is kept permanently top heavy in the manner in which the Medical Department is kept, and if the lines of retrenchment indicated by the entire profession after numerous consultations and conferences are not regarded, and if an attempt is not made to come in grips with the entire problem by capitalising and by raising large funds for proper tackling. Problems of such huge dimensions can never be tackled without sufficient funds. This is the main problem that has to be approached by the Hon'ble Minister in charge. It is not possible for me to tackle the entire problem, but I will first confine myself to the question of administration only.

Now, the administration of the Medical Department has given so little service to the country that I believe it was in 1924 that the medical demands were refused altogether just to draw the attention of the Government to the inadequacy of the measures that the Government were taking at that time. Shortly after that there was really a little improvement in the situation which afterwards worsened. The history of the medical administration in this country is really the history of the Indian Medical Service. It does not lie with me to direct any attack on the Indian Medical Service. The Indian medical profession in this country, in Bengal particularly, cannot but be grateful to the services rendered by the Indian Medical Service in the past. But I

maintain that the continuation of this Service is really of no advantage to the country from any point of view. On the other hand, it simply occupies an extremely top-heavy administration without giving any adequate service to the suffering population of this country. Before the War the Indian Medical Service used to be recruited by a competitive examination. But after the War this competitive system has been given up altogether and a new system of nomination has been introduced. By this and then with the coming up of the Round Table Conference and afterwards with the introduction of the new reforms it was expected that the inequities of the arrangements would gradually disappear and a real and proper attempt should be made to establish an efficient Medical Service system at the minimum possible expenditure. But I am afraid we have been badly disappointed so far as that matter is concerned. The first disappointment came with the Devolution Rules introduced by the Secretary of State and then the Lee Commission and other things also came in, so that the burden of the whole thing was to stabilise the I. M. S. men in this country and gradually it further worsened by the attempt which is now being made to make racial discrimination in the Service itself by which non-Indians are given preference over Indian candidates and if there is any attempt to Indianise the Service in this country, it must be admitted by everybody that, so far as the Indian Medical Service is concerned, the clock has been turned to go backwards during the last few years. What is the result? The result is that in this province out of 30 or 35 I. M. S. appointments only six are occupied by Indians, the rest are all occupied by Europeans. Since the introduction of this method of nomination, it is known to everybody, and it can be found by Government by a little exertion, that the average qualifications of the Indian members are very much higher than the average qualifications of the non-Indian members of the Service. But still the non-Indian members are given preference to their Indian brethren in the Service. First of all, so far as the continuation of the Service is concerned, some time ago an attempt was made to introduce the honorary system of service by which non-official members of the profession were given an opportunity to take up the charge of the various hospitals. This resulted very satisfactorily. Why an opposite attempt is now made is something that cannot be grasped by any one of us. So far as the administration of the mufassal hospitals are concerned, we know that the Civil Surgeon is in charge, but at the present time the expenses of the mufassal hospitals are borne chiefly by the local bodies, viz., the municipalities and the district boards, and the contribution by Government amounts only to about Rs. 500 for the Sadar hospital and about Rs. 300 for other hospitals, so that the local bodies have to give a certain amount of attention in the control and supervision of these hospitals. By reserving these posts for the I.M.S. officers, we do not really give an extra advantage to the

people in any way. During the War, as everybody knows, I.M.S. officers were taken away to serve at the Front and at that time these posts were held, and held with credit, by the senior assistant surgeons and sometimes by the non-official medical practitioners. At the present time the number of graduates, i.e., very highly qualified medical men turned out by our Universities and a large number of medical men with special qualifications are in fact coming out as specialists and there is therefore absolutely no necessity, so far as the professional requirements are concerned, to reserve these posts for any highly paid I.M.S. officers, because in filling up these posts by I.M.S. officers, the Government is paying five times more than they will have to pay if they fill these posts by senior assistant surgeons; and they could have done the same thing with much less expenditure, if they created some honorary posts and filled these posts by non-official practitioners. So far as efficiency is concerned, there is absolutely no danger of efficiency suffering in any way at all, thanks to the sufficient number of really qualified and highly specialised practitioners that can be found all over the country just now.

Sir, I might mention in this connection that efficiency has not suffered in any way. There was a time when actually I.M.S. officers were extremely necessary but at the present moment it is not so. In every department of the medical service, whether it is the department of surgery, or of medicine, or of obstetrics, the non-official members of the profession are holding their own—not only holding their own but they are gradually getting absolutely in the forefront: in fact the first and second lines are occupied entirely by the non-officials. At present an attempt is being made to reserve more posts for the I.M.S. men. I submit, Sir, this is wholly inequitable and it is also ruinously expensive. I may mention in this connection that a recommendation was made for retrenchment of the medical service in this country by the Indian Medical Association in 1932-33. The recommendation is a very valuable document and it was the production of labour of nearly a year. As my time is up, I am sorry I cannot complete my remarks.

The House was then adjourned for 15 minutes.

(After adjournment.)

**MR. ATUL CHANDRA KUMAR:** Mr. Speaker, Sir I beg to move that the demand of Rs. 46,75,000 under the head "38—Medical" be reduced by Rs. 100 (inadequate and disproportionate grant to mufassal hospitals and dispensaries.) My intention in moving this cut motion is that the grant-in-aid to mufassal hospitals and dispensaries is quite inadequate and disproportionate. Sir, about 80 per cent. of the people or more than that live in the mufassal, but the grants given to mufassal dispensaries and hospitals including "charged" is Rs. 3,70,000, and the

grant to hospitals and dispensaries is Rs. 4,37,500, and to Presidency hospitals and dispensaries the grant is Rs. 15,70,500. In the presidency town, I mean the metropolitan city, there are many private hospitals and dispensaries and also many doctors. Further, all sorts of medicine are available there, and the people are also in a position to pay for them. In the mufassal places the people are not well-off to pay the charges of medical practitioners or for medicines. I know that in some of the thanas there are no dispensaries at all. In the mufassal at least in every union there should be a dispensary. Even where there is a dispensary there is no compounder in most cases. In the interior of the mufassal there are no hospitals: only out-door patients are attended to, and they do not get any sort of medicine, as yesterday Mrs. Mazumdar pointed out, you will find only "*sarvausadhi*", i.e., the same medicine is prescribed for all diseases in the mufassal hospitals and dispensaries. There are some bottles which contain very ordinary medicines, and whenever any patient comes, the doctors or the compounders prescribe either this mixture or that. So, people have very little faith in mufassal dispensaries especially. Of course, our outlook has to be changed, which is very dismal indeed. I think that in the mufassal the Indian method of Ayurvedic treatment may be introduced and homœopathic dispensaries established, as they are less costly and may be useful in rural area. I wish to point out only one thing here, viz., Rs. 3,67,500 is granted for the Nurses Institutions and the training of nurses, etc., but, Sir, it does not serve the purpose of the mufassal. There is no arrangement for *dhai* training; no lady doctors are available in the mufassal areas, or there is only one passed lady doctor, or sometimes a nurse in the mufassal district towns, and people have to go some 20, 30, or even 40 miles in cases of female diseases, owing to their inability to pay doctor's fees. So, I would draw the attention of the Hon'ble Minister in charge, who, I think, himself comes from the mufassal. Most of the members also, Sir, come from the mufassal, and I hope they will agree with me that this grant is quite inadequate and disproportionate. I hope the Hon'ble Minister will please look into this matter and see his way to have a dispensary established in every union. If it is not possible to start an allopathic dispensary in each union board, at least an ayurvedic or homœopathic dispensary can be started. Anyway some medical aid must be given to the mufassal. Then there should be arrangements for *dhai* training centres or a lady doctor should be provided in each thana for labour cases.

Again, there are no hospitals in the mufassal except in very big towns. There are also many towns which have no X-ray arrangements—at least my district has none,—and people have to come to Calcutta for this purpose. All these matters should be carefully and seriously considered. I have got many other things to say, but as the time at my disposal is short I cannot speak further. The Hon'ble Minister has narrated his difficulties, and we also understand them, but I hope his

next budget will see that the aid to mufassal dispensaries and hospitals is quite adequate, and grants to the presidency town are not so disproportionately high compared with the mufassal, as we see in the present year's budget figures.

With these few words, Sir, I would once again draw the attention of the Hon'ble Minister in charge of the Medical Department to the inadequate provision made for the mufassal under this head.

**Maulvi ABDUL WAHAB KHAN:** Mr. Speaker, Sir, in rising to support the motion I would mention only a few of the long list of grievances which are genuine about the medical department.

First, I would submit about the extreme inadequacy of medical aid in rural Bengal. I would take my own district—the district of Bakarganj first. There are only about 32 dispensaries barring a very few Union Board dispensaries. There are 300 Union Boards each comprising an area of about 10 square miles on an average. Taking even 3 Union Board areas as a unit, which is 30 square miles, we require at least 100 charitable dispensaries, whereas we have only 32. We, therefore, require 67 more. In that case also, one dispensary will serve an area of 30 square miles which area is again intersected by khals and rivers, and will, therefore, be considered quite inadequate. The existing 32 dispensaries also are not evenly distributed in all areas. While there are four in one thana, there are thanas inhabited by dumb millions, the illiterate people, where there are none. So an early survey of the position of the existing dispensaries is necessary and neglected areas have to be looked into.

Now, Sir, I shall refer to the unsympathetic attitude of the doctors. Patients have to pay—and some of them do pay—to satisfy the doctor and the compounder to draw their particular attention to them. I submit, Sir, this has demoralised the whole system for the people who cannot afford to pay do very seldom go to these dispensaries. The poor people are not really benefited in many cases, and they are gradually losing faith in these dispensaries. This is my first-hand knowledge as an ex-vice-chairman of the Bakarganj District Board. These dispensaries have far less popularity than they ought to have. There are some exceptions, of course.

Now, Sir, as regards admission into indoor dispensaries, I would say a few words. Admission here, like service or any other appointment, goes by recommendation from a man of influence or of a member of the managing committee or of the Secretary of the dispensary concerned. A very poor patient, who does not know how or whom to approach or whether he has to pay anything, is not admitted at all. I would cite, Sir, a very tragic instance in regard to the Barisal Sadar Hospital. A poor man, who came all the way from a distant village to secure admission into the Barisal Sadar Hospital, was refused admission in spite of earnest entreaties. On the next morning he was found

hanging dead from the branch of a tree in front of the hospital and within the hospital compound. A big meeting was held in the Town Hall in December last with Mr. A. K. Fazlul Huq in the chair. Several resolutions were passed in the meeting and the conduct of the hospital authorities was condemned. I think copies of some of the resolutions were sent to the press and to Government, but it ended there; but no steps were taken save and except that the tree from which the man hanged himself and some other branchy trees were cut down so that similar events might not recur. It all ended there. I heard that the hospital authorities stated that the man was not seriously ill. I submit, Sir, that if that be true, the medical officer is guilty of two offences—firstly, as a doctor in not being able to understand that the man was really seriously ill, and secondly, in not admitting the man and giving him medical aid when it was so very necessary. So, Sir, in vain do we talk of high-sounding words as nation-building departments. If the present policy is pursued so far as medical aid is concerned, the nation will be gradually extinct. Diseases are causing a havoc on rural Bengal, so are the village quacks.

Sir, we in Barisal wanted a medical school, and Government asked us to prepare a scheme. We drew up a scheme. About Rs. 85,000 was spent, land was acquired, some tanks were excavated, and suddenly then the project was abandoned. Why, after all this expenditure had been incurred? This is simply playing ducks and drakes with public money. This was done by the last cabinet and I request the present cabinet to remedy the wrongs of the past cabinet.

Sir, so far as the Calcutta Medical College is concerned, coming as I do from the rural areas, I have very little competence to say, but so far as I have been able to know from reports, I can understand—.

(At this stage the member having reached the time-limited resumed his seat.)

**Mr. UPENDRA NATH EDBAR:** Mr. Speaker, Sir, considering the importance of the motion moved by Dr. J. M. Das Gupta, I should like to say a few words touching on the important and salient points.

Sir, it is really gratifying to note that the budget estimates contemplate that the year under review will close with a surplus, on revenue account, of about Rs. 34 lakhs. But a surplus budget is not always a satisfactory one.

A surplus budget, too, may be a disappointing one if the demands of the nation-building departments are overlooked, if demands for education are disregarded, if demands for public health and sanitation are ignored, and if demands for agriculture and industries, which will greatly help the growth of better financial position in Bengal, are neglected, and lastly if the demands under the head "Medical" are turned a deaf ear to.

Now, I appeal to the House and to the Cabinet to provide bigger sums of money to the nation-building departments in future under the new constitution. Along with the change of Government the angle of vision should be changed; otherwise what is the good of ushering a simple change in the form of Government but not in the spirit and sense?

The Finance Minister may provide a heavy sum of money for the extension of the High Court buildings in Calcutta and Civil Court buildings in the mufassal or of the Medical College and School buildings and officers' quarters or anything like that to satisfy the sentimental whims and tastes of the fashionable aristocrats who are already rich, but does it in any way improve and better the poor lot or lessen the sufferings of thousands of villagers who are dying every day without treatment?

Everyone admits that the real nation or the backbone of the country lives not in a town but in the wretched villages far away from the din and bustle of town life, but I am very sorry to find that the grants earmarked for mufassal hospitals and dispensaries are too inadequate and insufficient to meet the demands of the poor masses who are suffering from the dying of cholera, kala-azar and malaria and various types of fever and diseases without proper treatment and diet.

As I come from the rural constituency of Bakarganj, I have a first-hand knowledge of pitiable and wretched condition of the villagers to which they fall victims, for want of proper medical help. When I was one of the members of the Pirojpur Charitable Dispensary Committee, I had personal knowledge that the poor patients did not get a drop of true medicine, save and except water mixture or sautonine mixture, and even now indoor patients are not supplied with sufficient diet as sufficient funds are wanting. I think such is the nature of all other mufassal hospitals and dispensaries and I am sure, this difficulties can only be removed simply by providing bigger sums in the budget estimate for which I appeal to the Cabinet.

In conclusion, I beg to suggest a scheme so that the poor villagers may easily get proper medical aid and treatment. This scheme can be given effect to by the introduction of the system of establishing at least one charitable dispensary in every union board with sufficient funds at its disposal. With these few words, I strongly support the cut motion.

**Mr. DEBI PRASAD KHAITAN:** I wish to say a few words in continuation of the remarks that have already been made by my honourable leader Mr. J. N. Basu. He has already spoken about malaria. I would like to draw the attention of the Hon'ble Minister in particular and of the House in general to kala-azar in regard to which it is very necessary to have some vigilance centres. Kala-azar is increasing and playing havoc with the people of this province. Similarly cholera is

becoming more and more epidemic in the province and it is desirable that steps should be taken to prevent the spread of that disease and also to save the people that suffer from it and die as a result thereof. Just as in the case of smallpox vaccination is carried on, so in the case of cholera it is desirable that inoculation should be carried out so that the people may be immune from the disease. As regards smallpox, although it is the law of the land that vaccination is compulsory but still it is well known that every person is not vaccinated. More vigorous steps should be taken so that no persons whether old or young are exempted from the vaccination process.

Another fell disease is becoming rampant in the province—tuberculosis. No figures are necessary to show the alarming extent to which it is increasing, not only in Calcutta but also in other parts of the province. It is quite true that we have got a very useful institution near Calcutta, namely, the Jadavpur Hospital. It is doing very useful work. But in the first place it is not sufficient for the people of the whole province and secondly it is well known that in the early stages it is necessary to have medical sanatoria where better treatment of tuberculosis can be carried out. When I recommend a medical sanatorium let it not be thought that I am speaking in derogation of the Jadavpur Hospital which I do consider to be a very useful institution. At the same time I should like to impress upon the Hon'ble Minister that it is very necessary to have medical sanatoria in the province. It is well known that in other provinces they have got medical sanatoria much to the relief of the people of those provinces. Behar has Itki; United Provinces has Bhawali; Punjab has Dharampur; Bombay has more than one; and South India has the best of the lot at Madanapalli. We the poor people of Bengal, in spite of the fact that we have been clamouring for medical sanatoria for a long time, have not got a single one so far in spite of the fact that a rich merchant has either promised or has already given a sum of Rs. 3 lakhs for the establishment of a climatic sanatorium. A Committee was appointed to investigate about the best possible site for the purpose and the Committee made recommendations; but still in spite of the lapse of several years nothing has so far been done by the Government. Whether the old Government is at fault or the new Government has not had time to take any step, the time has come when not a single moment should be lost to establish a suitable sanatorium where patients in the early stages of that fell disease may go and save their lives.

I would further say a word about the indigenous system of medicine. It is quite true that allopathy has advanced more in science than any other system. But I believe it is equally true that even to-day at least 90 per cent. of the people get themselves treated according to the indigenous system. The poor people of the province cannot afford to have regular allopathic treatment and we have heard from several

speakers of this House that there is not a sufficient number of dispensaries and hospitals in the province and that there are no doctors available in every village. In villages it is the kavirajes and hakims that treat the people and it is very necessary that Government should not only recognise the indigenous system but that it should give active help and support not only for the maintenance of those systems of medicine but also for research and further progress. Several provinces have already recognised and started them and made promises of further support. For instance Madras, United Provinces, Behar and even Ceylon—I mention Ceylon although it is not a province of India. Even Ceylon has after all recognised the indigenous system of medicine.

(Here the member having reached the time-limit, resumed his seat.)

**Mr. J. W. CHIPPENDALE:** Sir, I rise to press the claims of our nurses, both Indian and Anglo-Indian. We know their work; we also know their worth and we appreciate the same. They have long periods of work: their pay is small compared with the work that they do and it is hard work. I desire that there should be some amelioration of their condition; that their hours of work should be reduced and their pay and allowances increased. They have not only to support themselves but have also to make some provision for illness, sudden emergencies and old age. Then in the next place I ask that their services may be recognised. I know that this House has nothing to do with the recognition of nurses outside Bengal. I also know that the services of these nurses are not recognised in Bengal even though they are able and well qualified. For instance in other countries of the world nurses rise up to the highest posts that are open to them in that line. But in Bengal they do not.

I regret very much to say that although nursing and nursing institutions have been in existence in Bengal for so long, nothing has been done to secure and see that our nurses occupy the highest positions as well as the administrative posts in all hospitals. Either our nurses are qualified or they are not. If they are qualified why should they be disregarded when these high posts come to be filled? Are they not worthy or are they incompetent? If they are incompetent whose fault is it? It is the fault of those persons who undertake their training and their teaching. You can see for yourself by going to a hospital if the nurses are capable. These nurses receive a good training and a substantial training and I cannot understand why they are not called upon to fill the highest posts that are available to them. In this matter I feel deeply; I feel that our claims are not looked into. By our claim I mean the claim of the children of the soil. I trust that those in authority

will do something to achieve better results. This is a duty we owe not only to the nurses but to ourselves. Posts such as those of senior nurses and of those who are in charge of the administrative side of nursing institutions should be advertised. Why do not the authorities or the powers that be advertise these posts in the public newspapers? Surely you want the best—those who can do the work and do it efficiently. Moreover that ought to be the rule and not the exception. At present I regret to say that nurses are looked upon as if they are incapable of doing this work. Does any one ever try to see whether the nurses can do their work or not? You sit in arm chairs and say that they are no good. Who is responsible for that? It is utterly untrue that our nurses are incapable and I say with confidence that the nurses who are educated in this country, and trained in this country, are quite capable of doing every kind of work that arises in hospitals and public institutions which grant medical relief. With these words, Sir, I resume my seat.

**Maulvi TAMIZUDDIN KHAN:** Mr. Speaker, Sir, first of all allow me to congratulate the Hon'ble Minister in charge of this Department on the outspoken utterance he has made in placing his demand before this House. His speech breathes the spirit which one expects of a popular Minister. From what he has said we hope and expect that he will not mince matters and that he will take serious notice of any instances of official delinquency that may be reported to him. Sir, I do not like to deal at length with points which have been touched by my previous speakers, but I like to say a few words in the light of what Mr. Khaitan has said. Mr. Khaitan has pointed out that sufficient encouragement is not given to the indigenous system of treatment. Sir, in this connection everyone probably knows that recognition has been given to the Ayurvedic system of treatment. That has been a move in the right direction; we are all glad that the past Government took that right step, but I would submit that it is also high time that recognition should be given to the other system of indigenous treatment, I mean the Unani system of treatment. It is no doubt true that in Bengal there is a lesser demand of this system of treatment than the Ayurvedic system, but the demand is already very high and it is gradually increasing and I hope that Government will take early steps so that this system of medicine also may be recognised. Sir, though not an indigenous system, I think, the system of Homeopathic treatment also deserves consideration; if really we are true representatives of the people and if really our system of Government is a democratic system, I think Homeopathy should be given recognition. It is only a kind of prejudice that prevails in certain quarters against the system that, I think, has hitherto kept it from being recognised by the powers

that be. Allopathic doctors may not find any merit in that system of treatment but so far as millions of patients in Bengal are concerned they will, I think, freely recognise its merits in view of the benefit that they daily derive from that system of treatment. I think, Sir, that our present Government will take all steps that are necessary to give recognition to this system as early as possible.

Mr. Khaitan has also referred to the question of kala-azar. Probably members may not be aware of the fact that kala-azar is again rising its head in Bengal. We all remember that some time ago it became so prevalent in this province that we were all apprehensive that a catastrophe might befall the country, but fortunately on account of the epoch-making invention of Dr. Brahmachari that the country was saved from the grip of this fell malady. I do not know, Sir, why the disease seems to be again increasing gradually. If figures are taken by the Hon'ble Minister from the various districts I think they will show that the mortality from kala-azar is increasing of late. If that is a fact, I am not sure as yet whether that is a fact if the whole province is taken into consideration, but if that is really a fact I think early steps should be taken so that the disease may not spread any further.

Mr. Khaitan has also referred to the question of tuberculosis. I do not know whether this should properly come under the head of "Public Health," but as this question has arisen I think I may as well here put in a word so far as this matter is concerned. Sir, many members probably know that a generous gentleman sometime ago made a gift of about Rs. 3 lakhs to the Government. Government was pleased to accept that generous gift, but it is surprising to note that it has been sitting tight over the money. Government complains of lack of funds: yes, that is no doubt a genuine complaint, but even when funds are forthcoming we see that Government is so very poor in ideas, so very inactive that they cannot even utilise the money that some one may make a gift of. I submit, Sir, that the money was given for the purpose of starting a sanatorium for tuberculosis. What the country needs is a climatic sanatorium. I would like to hear the Hon'ble Minister say something on the point why Government has not been able to do this so long and whether our present Government is really anxious to take early steps so far as this question is concerned. As to the necessity of fighting tuberculosis it is a question which everyone admits. Tuberculosis is one of the fell diseases which are carrying away thousands of people every year and we all know, Sir, the kind of suffering that tuberculosis patients have to undergo. The sooner we can fight the disease and sooner we can diminish the number of mortality and suffering from this disease the better for Bengal. With these few words, Sir, I support the cut motion.

**Maulana MD. MANIRUZZAMAN ISLAMABADI:** (The member addressed the House in Bengali in support of his cut motion, of which the following is an English translation):—

Mr. Speaker, Sir, I beg to invite the attention of the Hon'ble Minister in charge to some important matters. Obstacles in the way of poor and destitute patients being admitted to hospitals are too many to be described. The deplorable impediments that lie in the way of admission to Barisal Hospital which Maulvi Abdul Wahed Khan of Barisal has mentioned exist also in the matter of admission to the Chittagong General Hospital. In fact this contagion has spread in all hospitals all over the province of Bengal. If any poor patient is taken to any hospital for admission the doctor in charge at once says that there is no accommodation, no seat and that the patient should be taken back. If one can procure a recommendation from some big person or if one can give a call to the doctor and arrange for his fees, a seat for the patient suddenly springs up. Assistant Surgeons draw handsome salaries and earn still more through private practice. They do not earn less than a thousand rupees per month. Yet they are eager to suck the blood of the poor destitute patients. I request the Hon'ble Minister to try to put an end to this immoral and inhuman practice.

There is still another speciality of the Chittagong Outdoor Dispensary. I do not know if there is any parallel to it in any other part of Bengal. Every patient has to pay one anna per phial of medicine as price. This indeed is a cruel system. Well-to-do people do not use hospital medicines. It is generally the poor folk who take medicines from hospital. Take for instance a patient suffering from malaria. If he has to take medicine for a month he must pay one rupee and fourteen annas. This amount might have procured him his diet. This system should be stopped. If expenses cannot be met the difficulty can be tided over by reducing the salaries of the doctors.

The number of students in the Arabic Madrassahs of Bengal is nearly eleven thousand. Completing their education there, they have very little opportunity of serving their country or earning their living. The Dacca Tibbiya College is their only resort. This College is being conducted quite satisfactorily. No Government grant is given to it. I beg to draw the attention of the Hon'ble Minister to this matter.

Another submission of mine is that if a Unani-Tibbiya class is opened in all the Madrasahs under the Calcutta Madrasah Board of Examinations it will be rendering a great service to the country. Although this subject belongs to the department under the Hon'ble Education Minister, the co-operation of the Minister in charge of the Medical Department will be productive of good results.

**Mr. J. N. GUPTA:** Mr. Speaker, Sir, I support the cut motion moved by my friend Dr. J. M. Das Gupta with a view to draw the attention of the Hon'ble Minister to certain grievances of those who are responsible for bringing people here or taking them back safely to their sweet homes. The Railway Administration has made arrangements for opening dispensaries and hospitals but no efforts are made for extending the treatment to the members and dependants of the railway employees. The railway never recognise that the members and dependants of railway employees are to be treated.

**Mr. SPEAKER:** I am afraid you cannot discuss the railway medical dispensaries because they are not under the charge of the Bengal Government and not within its jurisdiction.

**Mr. J. N. GUPTA:** My submission is that the members and dependants of the railway employees are not railway employees. The railway employees are governed by the Central Government but the family members of the railway employees are not railway employees and as such they have a right to have shares of the benefit of the grant of the provincial budget.

**Mr. SPEAKER:** The difficulty is that the administration of the dispensaries of the Railway Department is not under the control of the Medical Department of Bengal and therefore this matter cannot be discussed here. It can be discussed in the Central Legislature.

**Mr. J. N. GUPTA:** My further submission is that medical help comes under the head "Medical dispensaries".

**Mr. SPEAKER:** I do not know that, but it is for the Hon'ble Minister to say whether this Government is concerned.

**The Hon'ble Maulvi SYED NAUSHER ALI:** Sir, the position is that we have got nothing to do with the dispensary established by the Railway Department. Whenever there is any question of sanitation in which the railway is interested, we may by arrangement do something, but we have no control over the railway dispensaries.

**Mr. J. N. GUPTA:** I am coming to that.

**Mr. SPEAKER:** If you want to discuss it you can do so under "Public Health".

**Mr. J. N. GUPTA:** I wish to draw attention of the Hon'ble Minister to the grievances of the dependants of the railway employees who are not given relief by the railway administration.

**Mr. SPEAKER:** I am afraid you cannot do that, because the Hon'ble Minister is powerless in this respect.

**Mr. J. N. Gupta:** But those persons who are living in Bengal are not given any relief either by this Government or by any other institution. So I would request the Hon'ble Minister, through you, Sir, to make an attempt to confer with the railway authorities under whose jurisdiction they are living so that they may get some relief.

Another factor that I want to say is that doctor who are given licenses as registered practitioners by the Government of Bengal, grant certificates to sick persons working on the railways. Though it is definitely made clear that registered doctors are allowed to give certificates, these certificates are required to be countersigned by the District Medical Officer of the railway. There are various cases in which certificates granted by registered doctors are rejected by the railway doctors.

**Mr. SPEAKER:** Order, order. I am afraid I must rule you out definitely as you are entering into discussion on a matter which is not within the jurisdiction of this legislature. I do not think you can discuss the question regarding the internal management of a dispensary controlled by the Railway Department. I have full sympathy with you but you are out of order.

**Mr. J. N. GUPTA:** Sir, I know that a resolution was passed by the Bengal Government that if any certificate after examination is found fault with, the registration of the doctor should be cancelled. If a case cannot be established that it is a false certificate, I would request the Hon'ble Minister through you, Sir, to examine whether any remedy can be found out for it.

With these words I support the cut motion.

**Mr. W. C. WORDSWORTH:** Sir, I wish to say a few words to develop the point brought forward by my friend, Mr. Chippendale. He has said that in this province nurses are insufficiently recruited. My argument is that their existence is hardly recognised. In the leading hospitals in Calcutta we have a certain number of nurses but they are provided, as far as I know, by a private organisation which gets an extra grant from outside—the Calcutta Hospital Nurses Association. The Government gives the Association a grant and it also receives subscriptions from the public. It is thus nurses are provided for our leading Government Hospitals. I may suggest therefore that without private generosity there would be no supply of nurses; that is to say these nurses are not regarded as an essential part of the fabric of the structure of hospital work; they are rather regarded as outside luxuries. When we come to other hospitals

in Calcutta, e.g., the Chittaranjan Hospital, we find that there is a large number of Indian nurses under training. When we go to some other hospital we find the number of nurses to be hardly adequate. Let us see what is the condition outside Calcutta. If we take a census of the nurses outside Calcutta, I imagine we shall find that the number of nurses is very small indeed. Sir, I am a member of the Red Cross Society. We pay salary to a certain number of nurses for hospitals in the mufassal and there is one nurse here and one nurse there and in many hospitals the nurse whom the Red Cross Society support is the only nurse there, i.e., one nurse only in a mufassal hospital. I claim that there may be many hospitals in the mufassal where neither the Red Cross Society nor any other Association nor private benefactor supports a nurse at all. So we have some hospitals where there is no nurse but a doctor in attendance. If official opinion does not regard nurses as an essential or an indispensable or an inseparable part of a hospital, public opinion and private opinion cannot be expected to rise to any higher level.

Sir, Mr. Khaitan has told us a few minutes ago that we can just as well die in this province under any doctor practising any system of medicine, e.g., Ayurvedic, Allopathy, Homeopathy or Unani and not under a nurse only. But think, Sir, how more cheerfully or comfortably we can die under any of the systems if we have nurses also in attendance. I would ask this House to consider that a nurse is as necessary to a hospital as a doctor is. What chance has a doctor, or what chance has a patient, if there is not a nurse always to carry out the doctor's orders and consciously and unconsciously doing what the doctor wants him to do. Unless we have a satisfactory system of nurses we can never think of a satisfactory hospital or any medical system at all; I would therefore ask that the position be looked at from that point of view. I may say a few words in repetition of what I said on the general discussion of the budget. It would indeed be very desirable to have a number of Indian women who have been trained in the art of simple common bandaging when children fall or are hit or are burnt. We have heard complaints that there are no doctors in our mufassal. If we started experimenting with giving grant-in-aid to doctors so as to persuade them to work in the mufassal we might find the necessity of having nurse also. The United Provinces Government have discovered that they cannot get doctors to cover the entire area, but that they can find women who for a small monthly wage can soon be trained in a simple way and can be trusted to do the simple nursing of village life. Sir, for the ordinary ailments of men, women and children nurses have been found indispensable and we should keep that point before our eyes and have something to aim at.

**The Hon'ble Maulvi SYED NAUSHER ALI:** Mr. Speaker, Sir, I must thank my hon'ble friends who have spoken on this occasion

giving suggestions for consideration of Government. First of all, Sir, there has been a suggestion by Mr. J. N. Baru with regard to malaria and there has been a suggestion from other hon'ble members also with regard to that problem. So far as malaria is concerned, it comes strictly speaking under "Public Health". The treatment side comes under the "Medical", but strictly speaking it comes under "Public Health". Malaria, Sir, is a scourge in this country and we have got to tackle the problem as soon as we can. We all know that it is a problem of a very heavy magnitude and it requires big funds to tackle with. But still we have got to start organisation to tackle with the problem and to see and try to eradicate malaria as soon as possible. Sir, the steps that are at present taken for combatting the scourge of malaria are no doubt very unsatisfactory. I am thinking of a proposal which, if I can get the approval of Government and if funds are forthcoming which I hope will be, will be a better substitute for combating malaria. I will, however, speak on the subject when I deal with the "Public Health" side of the problem. Here I must rest contented by saying that we have been combating malaria in two ways, one by distribution of quinine free and the other by anti-malarial measures carried out through district boards and other local authorities with the grant that is given to them, though a small sum no doubt, viz., Rs. 80,000 per year.

Then, with regard to the question of drainage and other matters which have been introduced, they also come under "Public Health" and I will deal with them in proper place. Incidentally, here I may just say, for the information of the House, that of the two schemes, one with regard to Jangipur, I am told by my predecessor, Sir Bijoy, that it was a partial success.

**Maulvi ABDUL BARI:** It was a complete failure.

**The Hon'ble Maulvi SYED NAUSHER ALI:** But that is not my information as I have been told by my predecessor in charge of this Department, Sir Bijoy, that it was a partial success. However, that is not very relevant to the matter at issue.

The next thing is the question of the Indian Medical Service introduced by Dr. J. M. Das Gupta. Here, Sir, the limitations under which we work are all well known to my hon'ble friend as well as to the other members of this House. The Government of India Act is there and we have got to work under it. We all know that the Government of India Act is unsatisfactory on more than one point and this is one of the points. One of the points he has raised is the point of reservation of posts for the British I.M.S. officers. He has further stated that attempts are now being made to increase the number of posts to be reserved for I.M.S. officers in general. I may inform the House that no steps, as far as I am aware, have yet been taken to

increase the number of posts to be reserved for British I. M. S. officers or for Indian Medical Service officers in general. In fact, according to my reading of the law on the subject, there is every likelihood that the number of British I.M.S. officers will decrease after a certain number of years and so far as the present is concerned there is no chance of any increase. At least, I can assure the House that I will try my best to see that there will be no increase in this line.

As regards the question of reservation of posts for British I. M. S. officers, it comes under certain provision of the Government of India Act—I think it is section 246. This matter is entirely in the hands of the Secretary of State, but I can tell the House that I take note of the feelings expressed here. We have been dealing with this subject, and I think there is not going to be any retrograde step here also. We will try to represent the views of this legislature to the authorities, but as you know we work under limitations. The authority is vested in the Secretary of State, and consequently we shall have to be bound by any decision that is arrived at by the authorities in England. No decision has yet been arrived at on this point. We are still in communication, and we have placed our view-point before the Government of India. In this connexion I may only say, as I have been informed up till now, that there appears to be a conflict of interest between the Defence Department and the interests of this province; that is the real point, and Bengal cannot, it is stated, deny responsibility for the defence of India as a whole.

**Rai HARENDRA NATH CHAUDHURI:** What about the defence of the people of this province?

**The Hon'ble Maulvi SYED NAUSHER ALI:** That is how, Sir, the question of reservation for British officers of the Indian Medical Service comes in. However, Sir, I have given you the facts and the steps that I am going to take in this particular matter.

After that, Sir, comes the question raised by Mr. Atul Chandra Kumar, who has dwelt on disproportionate expenditure on presidency and mufassal hospitals and dispensaries. I think a true analysis of the position will at once convince everybody that there is actually no disproportionate expenditure of Government money on hospitals in the presidency town and also in the mufassal. In fact, Sir, there is only one hospital that is maintained by Government in the mufassal, and that is the Dacca Mitford Hospital. The rest of the hospitals maintained by Government are located in Calcutta. Consequently, whatever money is spent by Government on hospitals must necessarily be in Calcutta, except the amount that is spent in Dacca. Now, Sir, it cannot be stated that this money that is spent in Calcutta is spent for the people of Calcutta alone. These hospitals are hospitals maintained for the entire province, and people from the mufassal also have their treatment in the

hospitals in Calcutta. Therefore, in a sense the question of comparative expenditure of this grant or Government money within the presidency town or outside the presidency town does not arise. There appears to have been, therefore, some amount of confusion, if I may use that expression without any disrespect to the honourable members of this House, with regard to hospitals and dispensaries in the mufassal. I may at once tell the House for its information that there are, practically speaking, very few dispensaries and hospitals in the mufassal maintained by Government. You may criticise that that in itself is something wrong for which Government can be blamed. (Hear, hear, from Congress members.) I can understand that position. You can very well say that Government have so long neglected the rural population in the matter of medical relief, and that would be a valid ground of attack and criticism. (Cries of "Hear, hear" from Congress members.) But so far as the policy that has been followed so long is concerned, there cannot be any complaint with regard to the administration of dispensaries and hospitals in the mufassal, and an attack on Government in any way on that basis.

Now, my friend over there, Maulvi Abdul Wahab Khan, I am sorry to say condemned himself by his speech. He himself stated that he is an ex-Vice-Chairman of the District Board of Bakarganj, and he himself made remarks about the corruption and inefficiency of dispensary authorities in his own district. These dispensaries and hospitals are managed by the District Boards themselves—at least they are under the control and supervision of the District Boards. (Mr. ABDUL LATIF BISWAS: But what about Assistant Surgeons?) Well, Sir, Assistant Surgeons are not under the control of District Boards. I have been Chairman of a District Board for 9 years, and there are only a very few Sub-Assistant Surgeons placed in charge of Sadar dispensaries and hospitals, and the rest are under the management of the District Boards. Even when there is a Committee of local people attached to each dispensary. (Mr. DHIRENDRA NATH DUTTA: Impotent committees.) Well, Sir, I cannot describe them in that way: I cannot from my position say that they are all impotent; but that is the position, Sir. Of course, I being also in charge of the Local Self-Government Department can issue instructions from here to the Chairmen of the District Boards to see that these difficulties and malpractices disappear from their dispensaries, and I promise to this House that I will do so.

Sir, there have been various suggestions with regard to the establishment of Ayurvedic and Homeopathic dispensaries. I think the House knows that recently a Faculty for Ayurvedic Medicine has been started, and, practically, recognition has been given to the Ayurvedic system of treatment. There was a Committee with regard to the Unani system of treatment and I understand it was presided over by Sir Hasan Suhrawardy. Their report was unfavourable, but still

we have decided to reopen the matter and to see whether or not it would be desirable to have a faculty for the Unani system of medicine as well. I may also inform the House that I believe in this indigenous system of medicine (cries of "Hear, hear" from the Congress benches), and I have also got faith in the Homœopathic system of medicine. So, I am personally interested in these matters, if I may use that expression, and I would give my best consideration to the suggestions that have been made here with regard to the recognition of the different systems of treatment that are actually prevalent in this province.

Now, Sir, complaints have been made that there are no arrangements for dhai-training or for lady doctors. I frankly confess that there is a dearth of lady doctors in this province, and that we ought to take steps to see that the number of lady doctors is at least increased. But, Sir, I think I should tell the House that there is a system for the training of indigenous dhais prevailing even now, and that Government spend some money through the District Boards for the training of these dhais. (Rai HARENDRA NATH CHAUDHURI: Very inadequate.) I admit that it is inadequate and that it may be inefficient too.

(At this stage the Hon'ble Minister reached the time-limit.)

(There were cries of "We want to hear him", "We want to hear him" from the Congress benches.)

**MR. SPEAKER:** May I know how long the Hon'ble Minister will take to finish his speech?

**The Hon'ble Maulvi SYED NAUSHER ALI:** About 10 minutes, Sir.

**MR. JOGESH CHANDRA GUPTA:** This side of the House would like, if the Chair could possibly allow it, to hear the Hon'ble Minister, who is speaking unlike other Hon'ble Ministers in a tone which is approved by this side.

**MR. SPEAKER:** I am quite prepared to allow him some more time, but I must say that "Public Health" also has got to be discussed, and I think that if the Hon'ble Minister is allowed to continue his speech for a much longer time, it would hardly be fair to "Public Health." However, I allow him five minutes more.

**The Hon'ble Maulvi SYED NAUSHER ALI:** All right, Sir, I shall finish in 5 minutes. It has been suggested that Ayurvedic and Homœopathic dispensaries should be started in the mufassal. As you know, Sir, in the mufassal, dispensaries are at present started and supervised and controlled by District Boards, and though it is not strictly consonant with the law as embodied in the Medical Act, if I may use that expression, we have no objection whatsoever to the establishment of Ayurvedic and Homeopathic dispensaries

in the mufassal by the District Boards, and I may tell you that while I was Chairman of the District Board of Jessore, I had an Allopathic dispensary, a Unani dispensary, and a Homœopathic dispensary—all three established there. (Mr. SANTOSH KUMAR BASU: That is what the Calcutta Corporation has also done.) It is open to the District Boards to start Ayurvedic and Homœopathic dispensaries if they so desire.

Then, Sir, as the time at my disposal is very short, I must hurry through and say a few words on the other points raised by the various speakers. As regards X-ray arrangement in the mufassal, we have provided in the budget, as you may have seen, for the training of our doctors and medical officers in X-ray treatment, and it is for the local authorities to equip their dispensaries and hospitals in the mufassal, and these doctors will be ready for their assistance there.

Then, again, Sir, owing to the shortness of time I must pass over some of the items raised in the course of the debate, but there is one thing that I want to say with regard to tuberculosis. (Cries of "Hear, hear" from the Congress benches.) This tuberculosis is a fell disease and is a terrible menace; it is growing with alarming rapidity, and I must thank the authorities of the Jadavpur Sanatorium (cries of "Hear, hear" from the Congress benches) for the pioneer work that they have undertaken. They deserve encouragement, sympathy, and support and co-operation not only from Government but also from the local authorities and also from the generous public. Sir, I may inform this House that I am in full sympathy with this institution, and I will very favourably consider the application for a capital grant (cries of "Hear, hear", from the Congress benches) made by this institution that is now pending before Government. (Maulana MD. MANIRUZZAMAN ISLAMABADI: What about the Dacca Unani School?) Sir, I have been interrogated as to what is being done about the Dacca Tibbi Institution. I cannot promise any assistance to this institution now without making an inquiry into the whole thing. First of all, we have got to establish a Faculty before anything can be done for the institution. I have already stated that I am taking steps for the constitution and establishment of a Unani Faculty. The question of any assistance to that institution can arise, and can be considered only after that. I am sorry my time will be over very soon.

There is another question with regard to the establishment of a climatic sanatorium for Bengal. This question was first mooted in 1934 and a Committee was appointed to consider it. In March 1935 a donation—a very generous donation—of Rs. 2,82,000 was offered by Mr. Ram Kumar Bangur and that was thankfully accepted by Government. Government since then have been trying to have a suitable site for the establishment of the sanatorium. As you know, Bengal is poor in not having a proper climatic site. Perhaps excepting

Darjeeling there is no other suitable site anywhere in the province. I am speaking from the report of the expert authorities in this matter. I may tell you for your information that about 10 or 12 sites have been examined from time to time: one was picked up as a proper site but there was objection and that was rejected.

**Rai HARENDRA NATH CHAUDHURI.** You mean the Birkmyre site?

**The Hon'ble Maulvi SYED NAUSHER ALI:** Yes, that was the site. It was the Birkmyre site that was considered to be the most suitable site but it had to be abandoned for various reasons, especially on account of the objection of the local people there.

**Rai HARENDRA NATH CHAUDHURI:** Objection of Dr. Graham and others?

**The Hon'ble Maulvi SYED NAUSHER ALI:** It may be, but I am not sure about that. Then we have been making enquiries everywhere, and this gentleman very kindly has kept the offer open for one more year. Observation is now going on and I hope that a decision will soon be reached. That is all I can announce at this stage.

**A member:** Digha in the Contai subdivision may be a suitable site.

**The Hon'ble Maulvi SYED NAUSHER ALI:** I will take note of this and have the site examined by the experts, if thought desirable. If any other gentleman in this House has got any suggestion with regard to any site, I shall be much obliged if he will kindly let me have his suggestion and I will have that examined by the experts, if necessary.

**A voice:** Kulata in the Bakarganj district.

**Mr. SPEAKER:** I am afraid I must control the members from putting forward names of innumerable places.

**The Hon'ble Maulvi SYED NAUSHER ALI:** One word with regard to the nurses. I understand that nurses trained in India have so long been considered as not properly qualified for the posts of matrons and sisters. They have so long been recruited from England. But there appears to be a very strong feeling of resentment on this point. I take note of this and I will look into the matter personally and see how far the grievance is legitimate. If there is any legitimate grievance, I shall try to redress it. On the question of nurses there are many other points also but I think I will not have time to deal with them.

One word only with regard to my friend Maulvi Tamizuddin Khan. His long and very kind friendship with me had induced him to speak in the terms in which he referred to me. He has only dealt with matters about which I have already spoken a word or two. As regards the difficulty in admission to hospitals I take note of it and I will see that no distinction is ever made between patient and patient in Calcutta.

As regards the realisation of 4 pice from each patient, I think I should tell the House that it is left to the option of the Dispensary Committee to levy a small amount when a patient first comes to the hospital. It is not absolutely compulsory or the dispensary to levy it on everybody. Generally as far as I remember, it is absolutely at the discretion of the Committee and the doctor is authorised to remit it whenever he thinks that a particular patient is not capable of paying the money. That is one of the ways in which funds of the dispensaries are, if I may use that expression, collected.

**Rai HARENDRA NATH CHAUDHURI:** Supplemented.

**The Hon'ble Maulvi SYED NAUSHER ALI:** Not supplemented. My experience is that very few persons actually pay the subscription so practically speaking that is the only source of local income of the dispensary and it is for the local authorities to consider whether or not they should discontinue or continue the system of levying a small sum on each patient.

As regards the suggestion of having Unani classes attached to the madrasahs, my friend Maulana Md. Maniruzzaman Islamabadi himself admitted that it does not relate to my department and that it relates to the Department of Education.

I think I have finished and I commend my motion to the acceptance of the House and I request the hon'ble mover of the amendment to withdraw his amendment.

**Dr. J. M. DAS GUPTA:** In view of the statement made by the Hon'ble Minister I beg leave to withdraw my motion.

The motion was then by leave of the House withdrawn.

**Mr. ATUL CHANDRA KUMAR:** In view of the statement made by the Hon'ble Minister I beg leave to withdraw my motion.

The motion was then, by leave of the House, withdrawn.

The original motion was put and agreed to.

**Mr. SARAT CHANDRA BOSE:** Sir, before you pass on to the next item will you permit me to express the appreciation of this side of the House of the spirit which animated the utterances of the Hon'ble Minister?

**The Hon'ble Maulvi SYED NAUSHER ALI:** On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 32,85,000 be granted for expenditure under the head "39—Public Health."

I do not think I shall be justified in taking much time of this House on this question. There has been some increase in this grant as compared with previous year and the items on which the increased grants are intended to be spent are given in the explanatory note of the Finance Minister at pages 93-94 of the red book, so I do not want to dilate on that point any longer. I would like only to say that with regard to the policy I would only repeat what I have already stated in moving the demand for Medical Department. I attach the greatest importance to Public Health work, especially to two matters, namely, malaria and water-supply and I have succeeded in getting a little more money this year for these two items. I have got money provided for a survey of the whole province with regard to malaria and I propose to have a survey shortly with regard to necessity of supply of drinking water throughout the whole province and after that is done a comprehensive policy with regard to water-supply and eradication of malaria will be taken in hand. Of course finally it must depend on funds. I have already stated that it is the paramount duty of Government to tackle problems which vitally affect the whole province and I have made a start in that direction. I do not think I shall be justified, I repeat again, in taking any more time of this House. I think every minute that may be given to the House will be much better spent and will be very helpful to me.

**Mr. SANTOSH KUMAR BASU:** Because every minute we spend Rs. 50,000.

**The Hon'ble Maulvi SYED NAUSHER ALI:** With these remarks I commend my motion to the acceptance of the House.

**Mr. SPEAKER:** I think the time at our disposal for the discussion of this motion is only 1 hour 15 minutes. So I propose that the mover and others will take only 5 minutes each to deal with their amendments.

**Dr. GOBINDA CHANDRA BHAWMIK:** I beg to move that the demand of Rs. 32,85,000 for expenditure under the head "39.—Public Health" be reduced by Rs. 100.

The question of public health in Bengal concerns the health of 50 millions of people scattered over 82,000 square miles. Bengal has different and varied climate in different places. The climate is not

uniform in all places. So far as public health is concerned, I may say it has deteriorated to such an extent that the average life of a Bengali is 23 years while that of an inhabitant of European countries is 54 years, in Japan 45 years and in Bulgaria 68 years.

As regards the epidemics in Bengal, we see that malaria stands first and foremost. Every year nearly 6 lakhs of people die of malaria, while nearly 2 crores of them suffer from it; nearly 1 lakh of people die of cholera and as many die of smallpox; a quarter lakh of people die of kala-azar and an equal number die of tuberculosis.

As regards children mortality, there also the number is very large.

So far as our public health schemes are concerned we find that Rs. 12,55,500 are spent on public health units out of a total grant of Rs. 20,76,000. We know that the present arrangement of the Public Health Department in the mufassal is inadequate and unscientific. In every thana consisting of 14 or 15 unions we find one Sanitary Inspector and one epidemic doctor. There are one lakh people in each thana and it is well known that when there is an outbreak of cholera these two officers cannot give much help and in due time. In fact when cholera has taken a heavy toll these officers go to the affected area and take precautionary measures. Under the circumstances these methods should be changed; there should be decentralisation otherwise we cannot control the disease.

As regards malaria, many speakers have already said about it. It has turned many villages into jungles and abode of jackals. For example, our village Chandrakona which was once illustrious and famous for business centre is now depopulated due to malaria and big houses are remaining vacant. This malaria must be tackled effectively. We know Italy was once a hot bed of malaria but due to energetic action of Government it is now free from the disease. It is the duty of the State to look to the interest and health of the people, but we see that our Government has been totally indifferent to the health of the people.

There are many factors behind malaria; the first is the river drainage system. The river becomes silted up by embankments and the easy flow of water into the villages is prevented and also the general rainfall cannot get proper outlet. The result is that the villages become the hot bed of anopheles, a kind of mosquito which is the carrier of malaria parasites. If we are to take anti-malarial measures we have to take into consideration that the mosquitoes are not allowed to grow. We must also kill the parasites by application of quinine and must not allow the mosquitoes to grow by the application of kerosene and other modern methods. We must allow water to get out. Under the circumstances if we do not take energetic action for the drainage system, malaria cannot be eradicated.

(The member having reached the time-limit resumed his seat.)

**Mr. PRABHUDAYAL HIMATSINGKA:** Mr. Speaker, Sir, I beg to move the motions standing in my name that the grant asked for by the Hon'ble Minister be reduced by Rs. 100 to discuss—

(question of pure articles of food.)

(prevention of diseases by propaganda on correct lines.)

Sir, most of the speakers who have spoken to-day have asked for more dispensaries and more hospitals and more doctors, but what I want to suggest to the department is that they should take such steps as doctors and dispensaries may be dispensed with, that there may be no occasion for new dispensaries and hospitals anywhere. Sir, the oft-quoted adage "prevention is better than cure" is the thing that should be kept in view by this department. This department has been in existence for a number of years, but at the present moment the health of Bengal has deteriorated considerably and I think the House will agree that the power of resistance to combat diseases is almost gone. People of Bengal now fall an easy prey to all kinds of diseases and the present position of death rate is, as we find from the figures, that in 1935 cholera took a toll of about 60,000 people, smallpox 75,480, dysentery and diarrhoea 51,930, diphtheria and respiratory diseases about 85,000 and malarial fever 7,00,000. The total death rate comes to about 11 lakhs 31 thousand which works at more than 2 per cent. of the total population. Sir, a province where the death rate comes to 2 per cent. stands condemned. I do not accuse the present Ministry: as a matter of fact the Hon'ble Minister has made it clear that the budget does not disclose any policy and I do not know if any policy has ever been followed with a view to see as to what steps should be taken to prevent diseases and I want to draw the attention of the Hon'ble Minister to the present conditions and to find out for himself as to what should be done to prevent these diseases.

Sir, you are aware that there is a Student Welfare Committee under the Calcutta University. We also know that they examine a number of students every year and what do we find from the report. About 62 per cent. students require treatment, that is to say, 62 per cent. of the students are suffering from defective vision, enlarged tonsils, heart diseases, enlarged spleen and liver and various other diseases including tuberculosis. If that is the state of things amongst students who are in schools and colleges, what could we expect amongst the people who are absolutely ignorant in the villages. As a matter of fact, Sir, what I feel is that what the Government should do is to take steps to remove the ignorance of the people by suggesting to them the correct methods of what is known as the healthy habits. This I think should be the main aim to be kept in view by the department, so that the soil of the health may be sustained and maintained.

Sir, the probable causes of the present conditions seem to me mainly poverty and ignorance. Poverty is the one outstanding factor which affects the health and every other thing of the province. Next to that is the ignorance about wholesome and pure food and ignorance about healthy laws. Sir, if you ask a student who is in a school or college as to how he should hold his book, how he should sit and such other things you will not find a correct answer. The department should to my mind make a survey of the improved and correct health laws, ascertain the important factors affecting our health and by means of propaganda in co-operation with public and non-official bodies they should take steps to propagate these ideas in the villages by means of lantern lectures or cinemas and various other methods that may be available to them. At the present moment, Sir, I did not think that people know anything about food or food value. We have information now of the vitamins of the various foodstuffs, but there is very little information available as to particular menus which will be available and which will be wholesome. The department should prepare charts where you can have information about economic healthy food. I am not aware but I am told that in various countries, specially in Japan and other places, they have got different kinds of menus which may be had at very cheap prices and which indicate the food values of the different foodstuffs mentioned in the list. Similar thing can be done by the Public Health Department and I am sure it will help the people to a very large extent. As you are aware, Sir, the condition of the people is very poor and very few of them can afford to have rich food, but rich food does not necessarily mean costly food if people can be given information as to the kind of foodstuff they should have. In this connection I would also suggest that the department should not stop by suggesting healthy food but should also make arrangements for the supply of such food by starting co-operative stores and I do not think it will be very difficult for the department to arrange stores at least by way of giving information to the people at district headquarters and divisional headquarters. I am of opinion that they can confine themselves to 5 or 6 main things that we take in Bengal, for instance, rice, atta, dal, ghee and mustard oil and if they can make arrangements for that people may know where they can go and get pure food. At present there is no particular place where people can be sure of getting pure foodstuff and it is up to the department to take the matter up in hand and take very serious action in punishing people who may be responsible for selling or introducing adulterated food. As I suggested, if the people have information about food values and if stores are opened from where information can be had as to the value of particular food, it may be very easy for the poorer section of the people to have nutritious food and then it will enable them to combat various kinds of diseases which are at present harassing them. There are various other things which the officers of the district can take up very

conveniently and they can also expect co-operation from the people. I may cite one instance; Sir. In the district of Nowgong in Assam which was full of water-hyacinth I was surprised to find when I went there not one single plant of hyacinth after the Magistrate Mr. Morar (a Madrasee gentleman) took up the matter and explained the thing and people co-operated with him and in one week's time the whole district was free from water-hyacinth. Similarly if the department takes up to propagate this information they will be doing a good service to the people who will know as to what will affect their health and they will not grudge the richer people for not being able to get four cups of tea a day or similar things. They can be told that these things are not helpful to them but on the contrary injurious.

Similarly, Sir, physical sports and physical exercises may be suggested and I might mention the Bratachari movement and such like things to give them healthy sports. The information about food values may be included in curriculum of schools so that the boys may be taught about these things and if action is taken on these lines I am sure it will bear fruit.

(The member having reached the time-limit resumed his seat.)

The House was adjourned at 6-30 p.m. for 15 minutes.

*After Adjournment.*

**Mr. JASIMUDDIN AHMED:** Sir, I beg to move that the demand for Rs. 32,85,000 on "Public Health" be reduced by a sum of Rs. 100.

(The mover delivered his speech in Bengali in support of his motion.)

**Maulvi ABDUL BARI:** Sir, I beg to move that the demand for Rs. 32,85,000 on "Public Health" be reduced by a sum of Rs. 100 in order to discuss the inability of the department to deal effectively with the smallpox and cholera epidemics and the failure to cope with the housing problem of Sanitary Inspectors.

Sir, in moving this motion of mine I must first of all congratulate the Hon'ble Minister for his out-spoken frankness and for his humility in introducing this demand. I shall be equally frank and tell the Hon'ble Minister that we are not satisfied with the provision that has been made on the head of "Public Health." We expected from the Hon'ble Minister much, as he is aware and as we are also aware that he was in charge of the District Board of Jessore for several years and as such it is expected of him that he knows very well the demand of the public in rural areas, namely, the problems of water-supply, of cholera, smallpox epidemics, sanitation and public health. Therefore

the plea that the time that was at his disposal was insufficient to cope with this measure cannot be accepted. If it had been any other Hon'ble Minister, certainly he should have been given some time for that; but knowing him as we do as a successful Chairman of the District Board, certainly this plea cannot be accepted. Now I will first of all say that the public has got the right to live. We have passed the demand on police, we have passed the demand on education, we have passed the demand on general administration, but, Sir, the demand of the public on public health is much more important than those items, and therefore we should have expected the Hon'ble Minister to press this point before his colleagues, particularly the Hon'ble the Finance Minister, and I am sure the Hon'ble the Finance Minister would not have refused, or rather would have yielded to the demand of the Hon'ble Minister in charge of Public Health, if that had been properly placed before him.

— Sir, of course, we know that people are meant to die and also that people are prone to diseases and death. Death certainly cannot be averted; death is sure to come; but, Sir, disease, at least, can be combated, and in order to combat disease people expect of this Government that sufficient money should be provided for meeting the epidemics of cholera, smallpox, and other diseases. Of course, Sir, I am not a visionary; nor I am idealist, nor do I expect that utopia can be brought in all at once on the face of Bengal. But certainly we can expect, and would expect, that at least some measures would be adopted by the Hon'ble Minister in charge to relieve the grievances of the people and their miseries and sufferings as much as possible. It is perhaps known to the members of this House that according to the latest census the total population of Bengal is 51,231,000, and it will be a staggering news for this House to know that the death-roll for the year 1936 in Bengal is as high as 1,131,427—this is a figure which perhaps in no independent country would one expect even in a war. Even during the last Abyssinian War, so many deaths had not occurred. Then how these deaths came to occur, Sir? I would say that out of these deaths cholera claimed 1·2 per cent. per thousand (?) of the people who died; smallpox took a toll of ·1; kala-azar claimed 10·66 (?); and other diseases the rest. That is how we get these figures. We find that the number of deaths from smallpox, cholera, and malaria is so very heavy that the country cannot wait any more to cope with the menace from epidemic diseases. I heard Mr. Jatindra Nath Basu saying before this House that an attempt was made at Jangipur in 1923 to meet the situation arising out of the spread of malaria in that subdivision and he said that it was not given a trial. I can tell the Hon'ble Minister in charge of the Department and I can tell this House, Sir, that an experiment was made in that subdivision, and I believe that my friend sitting over there—I mean Rai G. C. Sen Bahadur—who also happened to be at Jangipur at that time, knows it very well that the scheme proved a total

failure. That was the scheme of Dr. Bentley for killing malaria in that subdivision by throwing kerosene oil and things like that.

(At this stage the member having reached the time-limit resumed his seat.)

**Mr. ANUKUL CHANDRA DAS:** Mr. Speaker, Sir, I rise to speak on a subject of great importance, viz., the insanitation caused by the sullage water of the Calcutta Corporation flowing into the rural areas of Tollygunge police-station. The Hon'ble Minister in charge of Public Health and also the Hon'ble Minister in charge of Irrigation had kindly visited the Tollygunj municipal area, and they had seen with their own eyes the grievances of the people of that locality. But, Sir, I shall only confine myself to the rural area which is outlying the Tollygunge municipal area. Now, Sir, the area of this place is 10 square miles. It is under the Union Board of Boinehtola; the number of villages is 18, and all the villages are now submerged under water; the number of houses is 1,498, they also are under water; and 291 houses have already collapsed and some more may collapse at any moment if no action is taken in the meantime. The water level in that area has risen to about 8 to 10 feet high, and there are 7 culverts on the South Tangra Road, which have all been closed by the Calcutta Corporation. I would here give a brief outline of the boundaries of this area. On all sides it is surrounded by the Calcutta Corporation. The Calcutta Corporation has extended the Dhapa area so that the northern and the eastern side of this place is now surrounded by Dhapa. There is the Hughes Road and the storm-water channel of the Corporation on the southern side. The South Tangra Road on the west, and the only passage left are 7 culverts which, however, have been closed by the Corporation, so that the people of this rural area are almost going to be drowned, and nothing whatsoever is being done to protect the people of this unfortunate place. Sir, there is a Corporation channel—it is Corporation storm-water channel,—it passes through the southern side of this area. Now the northern embankment of this Corporation channel has been breached in several places, but the Corporation does not repair this embankment with the effect that the sullage water of the Calcutta Corporation is going to the rural area and contaminating the whole area. There is no drinking water available; even the tube-wells are under water. Therefore, you can easily imagine, Sir, under what difficulty the people of this area are passing their days and nights. There is also a sluice at Bantollah, which is the property of the Calcutta Corporation. Now, Sir, the very sight of the sluice will repel anyone as to what the Corporation is doing. The whole front of the sluice is covered with jungles, water-hyacinth, and water cannot pass through that sluice into the Bidyadhari, and I do not know where the Corporation sends its sullage water if not into the Bidyadhari. I submit, Sir, that all these waters are thrown

into this rural area without any consideration whatsoever, and when we ask the Corporation to clear out that sluice they did not do anything. I may also mention that when a few years back Mr. Subhas Chandra Bose was the Mayor of the Calcutta Corporation there was a similar occurrence, viz., flooding of another area. At the end we went on deputation to Mr. Subhas Chandra Bose and within two days the ballygunj sewer was opened and the water was allowed to pass without any difficulty whatsoever, and the people were thus saved. When we have the same conditions now we find that the Calcutta Corporation is very callous and is not taking any steps to relieve the situation. Even drinking water, Sir, is not supplied by them. This afternoon I saw the Chief Executive Officer, Corporation, and requested him for supply of drinking water to the people of this unfortunate area. He said that he was considering this matter, but nothing definite was told to me. This, Sir, is the unfortunate position of the people of this area. I ask the Hon'ble Minister who is the representative of the poor people to consider the gravity of the situation and save these luckless people living in that area. It is entirely due to the inhuman action of the Calcutta Corporation, Sir, that these people are in this unfortunate position. The Corporation is taking no action whatsoever. The Corporation is a very rich body and is it not its duty for the sake of humanity to save the people of this unfortunate rural area? Why are they so callous? And why are they not following the noble example of Mr. Subhas Chandra Bose who ordered the sewer to be opened up at once as soon as the matter was brought to his notice, so as to drain away the waters of this rural area? The Government, too, Sir, I must say have not come to our help. In this connection I may say, Sir, that in the budget a sum of Rs. 37,000 has been provided for an anti-ludlowii survey in the vicinity of Calcutta and also for anti-ludlowii measures for the whole area. Now, Sir, this amount is quite unnecessarily wasted in this manner, and I am fortified by a resolution of this Ludlowii Committee passed in its meeting of the 8th of June, 1937, and this is the resolution passed by that Committee:

(At this stage the member, having reached the time limit, resumed his seat.)

**Mr. L. M. CROSFIELD:** Mr. Speaker, Sir, I rise to oppose this cut motion and to welcome the allocation of the expenditure under "Public Health" which appears to be admirable: an additional sum of nearly Rs. 7 lakhs has been found for this important department, and we see that this increased expenditure is to be spent to good purpose. I am afraid that the scheme for the improvement to the Chittagong municipal water-supply has been too recently approved, to find a place in the budget. The needs of the town for an increased water-supply are extremely urgent, and I hope that it will be possible for Government to find funds at least for a start to be made on this project during

the year. I particularly commend the increased grant for rural water-supplies now made up to Rs. 3½ lakhs, and on this subject I should like to welcome the Hon'ble Minister's proposal for a general survey, and I would emphasize the importance of securing expert geological advice on this question. Tube-wells are an ideal method—cheap in first cost and easily maintained and kept clean. But money has been wasted on many unsuccessful wells located in places and conditions which expert geological advice would have condemned. I would, therefore, suggest that, pending the general survey, in cases where wells have failed, District Officers should prepare maps showing the location of successful and unsuccessful wells with details of depths and any corrosive elements found for submission to the Geological Survey of India for advice. I feel sure that the cost of this will be amply repaid.

Now, Sir, to return to the grant, bearing in mind the funds available generally, I believe that a satisfactory allocation has been made and a wholly commendable scheme evolved. This is likely to lead to healthier living conditions for many thousands of people. Therefore, Sir, I oppose the *but* motion.

**Mr. DEBI PROSAD KHAITAN:** Mr. Speaker, Sir, I wish to speak a few words on the necessity of carrying on research as regards balanced diet and problems of nutrition, and carrying on propaganda not only in the towns but also in the villages so that the people may be able to have balanced diet and to eat nutritious foods. It is not a question of people being rich or poor, but if a proper knowledge of balanced diet and of the problems of nutrition be adequately spread, even with a small amount of money people can get nutritious food. Sir, if I look at the faces of the 250 members of this House, I cannot find a single healthy body. Whether I look at the Hon'ble the Finance Minister of this province, or whether I turn my eyes from the Leader of the House to the Leader of the Opposition, I cannot find a single healthy body out of the 250 members of this House.

**Mr. ATUL KRISHNA GHOSH:** But I possess a healthy body.

**Mr. DEBI PROSAD KHAITAN:** But you are flabby. It cannot be said that members of this House do not possess healthy bodies for want of money, and I do not mean it to be personal when I say that it may be possible that the Hon'ble Minister in charge of Public Health has been particularly selected for his bad physique in order that he may carry on food propaganda and establish a food research section of the Public Health Department. Sir, this propaganda and research work will not require a large amount of money. It can be carried on with a very small amount and I have not the slightest doubt that in

propaganda work non-official organisations can be of much assistance to Government and that propaganda can be carried on at a very small expenditure. I have heard that in Japan where people eat the same kind of food as in Berghal, where the staple food consists of rice and fish, they get a good and nutritious meal at not more than nine pies per meal, and I do not see any reason why similar arrangements cannot be made here. I have heard that one officer has been sent to the Coonoor Institute to study food problems and we have also got the Indian Medical Research Institute which is doing useful work. If an additional grant is given to them they can carry on more research work on nutrition than what they are able to do at present. I hope Government will accept this principle that food researches should be carried on and propaganda should also be carried on so that people may be able to have nutritious food and a balanced diet.

**Maulvi ABDUL WAHED:** (The member spoke in Bengali of which the following is an English translation:—

Mr. Speaker, Sir, with your permission I propose to say a few words regarding my district, Mymensingh, in connection with the cut motion brought up by my friend Mr. D. P. Khaitan.

Now-a-days my district has become an abode of malaria and kala-azar. In the two unions adjacent to mine nearly half the population died in the course of the last two years. Want of food is only equalled by the scarcity of drinking water. The tube-wells sunk by the District Boards are generally sunk in the houses of big people and the poor have no access to them. It is for these reasons that malaria has spread so much in those parts of the country. There is no arrangement for medical aid. The inhabitants cannot obtain even a pill of quinine. A large number of poor cultivators suffer and die without any treatment every year.

I noticed that two years before not even 50 patients would come every day to the two charitable dispensaries near my House at Gouripur and Ramgopalpur. Now as many as eight or nine hundred patients come there every day for medicines. There are a few sanitary inspectors who do not appear to know anything more about medical treatment than one injection which they would apply in all sorts of diseases. Qualified medical men ought to be appointed for these places. My District Board is totally indifferent to this matter, so the people of my area are quite helpless.

While going a few days ago to attend a public meeting I saw on my way that all the members of every family were down with fever and that there was none to look after them or their cattle. This sight caused a terrible revulsion within me and I felt very miserable to think under what civilised Government we were living?

**Mr. ABDUR RAHMAN SIDDIQI:** Mr. Speaker, Sir, I have been trying to follow the debates in this House as attentively and carefully as possible and the impression left on my mind of all that we have been talking can be described in one word—neglect. It seems that the order that has passed away did indeed look after itself but paid no attention to things that did matter. We have been talking about education, about sanitation, and almost all the items that have been discussed do tell us that those in whose hands was the destiny of this province did not perform their task to the satisfaction of the people of this province. We have now got to start afresh. We have got to build *de novo*, and unless all of us combine, the Opposition as well as the Cabinet and work with one mind to serve Bengal and to see that whatever is possible is done for the poorest citizen of this province—and until we look at things from that point of view,—our divided efforts will not lead us to the desired goal. In the discussion to-day the Honourable Member representing the Indian Chamber of Commerce has struck a new note, a very important note regarding the goal towards which the whole world is moving. The League of Nations is paying attention to it and India too, in its own way, is contributing her little mite. Sir, the death roll in India can be definitely lowered. A large number of deaths, as I have heard from medical men who know, is due to malnutrition. As the Honourable Member has pointed out, the same rice and fish which has made Japan fit to conquer the world, keep the people of Bengal emaciated and hungry-looking. He is not satisfied even with the faces of the members of this House. We have been hearing of a word called “vitamin.” There are men in Calcutta—a noble band of scientists, which is carrying on research on Nutrition and in Bio-Chemistry which, if encouraged by Government, may lead us if not to the millenium, then certainly on the way to it. This band, working at the Indian Institute for Medical Research, was the first to take up nutritional work on a planned and systematic basis. As the budgeted amount is small, may I suggest it to the Hon’ble Minister in charge, that instead of distributing it among many it will be wiser to concentrate on one group and get the best results. Fight disease on the one side and add to the stamina of the people on the other. Then alone can we hope for a better day and a healthier Bengal.

**The Hon’ble Maulvi SYED NAUSHER ALI:** I should like to say a few words with regard to the discussion in general before I deal with the particular speeches of individual honourable members. In the discussion, generally speaking, all have laid stress more or less upon the inadequacy of the measures taken by the Public Health Department. I frankly confess that public health organisation in this country is yet in its infancy, and furthermore I admit that the funds that are available for public health purposes are too inadequate. After all, Sir, it is a question of funds, but we do not see why with the funds at our

disposal we cannot work in a better way. I am sure that with the co-operation of the public in general, and of the local authorities in particular, much more can be done with the resources at our disposal. It is organisation, co-ordination and propaganda that are absolutely necessary for getting the best value of the money that we are now spending out of the provincial revenues.

Dr. Gobinda Chandra Bhawmik has complained of the inadequacy of the sanitary organisation. I admit, Sir, that the organisation that we have got at present is not adequate for coping with the health problems with which we are faced and that this entire matter is now under the consideration of Government, and I hope I shall be in a position to tell the House about the reorganisation scheme at the next budget session of the Assembly. I think Dr. Bhawmik spoke about malaria and about the silting up of the rivers and breeding of mosquitoes therein. These facts are well known and any attempt at combating malaria must also take into consideration the question of the drainage of the country and resuscitation of the dead and dying rivers of Bengal. That increases the magnitude of the problem and we have to take into consideration that aspect of the question.

Then, Sir, my honourable friend Mr. Prabhudaya Himatsingka began by saying that prevention is better than cure: nobody denies it and I feel that we should pay more attention to the preventive side than to the curative side and the public health organisation is mainly intended for that purpose. In fact at present the public health organisation has no curative side at all. It is mainly concerned with the preventive work. He has spoken about the school hygiene and the medical examination of school children and so forth. I think steps are now being taken and have been taken for some time past in this matter and I take note of it and shall see if we can increase our activity in this direction. It has been said also that by ascertaining the main causes of bad health and by propaganda in co-operation with the local authorities we can achieve very good results. Well, Sir, steps are being taken by the Public Health Department to ascertain the root causes of the bad health of the country and we are carrying on propaganda within our means in co-operation with the local authorities. If more funds be available certainly our activities in this direction will be increased.

The other thing on which stress has been laid is with regard to food. On this question, Sir, two points have been urged. First it has been said that we should start research for ascertaining the food value of the different articles and after we have done that it may be found that within the means of the poor people of the country they may have a balanced diet which will give them better health than they are enjoying at present. I may tell the House for its information that Government have agreed to a nutritional survey for Bengal at a total ultimate expenditure of Rs. 33,056 to be spread over 4 years. The

Nutrition Advisory Committee appointed by the Indian Research Fund Association drew attention to the need for a preliminary survey of the state of nutrition in relation to dietary habits, and in September, 1936, the Government of India proposed that a survey should be carried out by the local Governments in every province on the lines indicated by the Committee. The Government of Bengal accepted the suggestion and an officer of the Public Health Department was selected and deputed to Coonoor for receiving training for the purpose. A provision of Rs. 2,755 has been proposed for the current year, and as soon as the amount has been voted, the survey will be taken up by the officer who has received his training at Coonoor.

I quite appreciate the suggestion that has been made in this respect and I entirely agree with the honourable speaker that it is not a question of rich or poor but it is a question of knowledge *versus* ignorance. There may be food near about our home whose value we do not quite appreciate now and it may be that after research we may come to the conclusion that a balanced diet consisting of articles of food that we have got near about our homestead or which we may produce by cultivation without much cost will give us better and improved health. So it is of vital importance that activities in this direction will be continued and I hope it will give us better results.

I may say just a word or two regarding malaria. I have already communicated to the House the lines of action proposed to be taken regarding malaria, in the course of my speech on the medical budget. Here I would like to say a few words as to what we propose to do in the current year with regard to this matter. The present policy of combating malaria is by distribution of quinine. We have allotted this year Rs. 60,000 over and above the normal grant of Rs. 1,40,000 and we have also allotted the usual sum for anti-malarial measures, namely, Rs. 80,000, to be spent through the District Boards which spend it, as many honourable members may know, through the Union Boards and Co-operative Malarial Societies. That is the provision that has been made for the current year.

Then, Sir, complaint has been made with regard to water-supply and it has been stated that tube-wells are generally sunk in front of the houses of rich men and poor men are always neglected. In regard to this provision, it will appear from the budget this year that Rs. 1,50,000 more has been provided for water-supply in rural areas and I think there is an increased grant of Rs. 50,000 for water-supply in urban areas. With regard to sinking of tube-wells in front of the houses of rich men, I may tell the House at once that tube-wells—sources of water-supply—are constructed by the District Boards and those tube-wells that are sunk by District Officers out of the Government grant are always sunk according to the Government circular in consultation with the Chairman of the District Board. Therefore the complaint cannot be entirely against Government or District Officers.

In most cases local authorities are responsible for the selection of sites. There are cases no doubt where Circle Officers are responsible for selection of site but I think the remedy lies not in making complaints here in this House but in the hands of the local people. If they be sufficiently strong, I think this evil will disappear very soon. Government of course will be prepared always to take steps that no favouritism or nepotism is shown to anybody.

One other matter I forgot to mention and that is the proposal for establishing co-operative shops, for the sale of good food. I must admit that I have very little knowledge of the co-operative movement and I hope the Co-operative Department will take note of this. I shall however discuss the matter with my honourable colleague the Minister in charge of the Co-operative Department and see if anything can be done in this direction. That finishes practically the general observation with regard to the public health.

Now, Sir, let me turn to the specific question raised by my friend Mr. Jasimuddin Ahmed about the Kulti Khal scheme. If I have understood aright, his complaint is that somehow or other in spite of the report of Government experts this was sanctioned by Government in 1935. Sir, it is a matter of 1935 and I have had no opportunity of looking into the matter carefully. I cannot therefore say whether the statement that he has made that this was done against the opinion of experts will be corroborated by the records of Government. Apart from that fact he has admitted that it had the sanction of Government in 1935 and the Corporation consequently was entitled to proceed after that sanction was obtained. Now what I propose to do in view of the very gloomy picture the most deplorable picture that he has painted before us is that I will visit the locality myself with my friend, some representatives of the Calcutta Corporation and other gentlemen who may feel interested; and then after going through the record come to a definite decision of my own. That is what I propose to do and I hope that will satisfy all concerned.

The next thing is in regard to what my friend Mr. Abdul Bari has said. He said that Government did not feel it their duty to cope with the smallpox epidemic perhaps in any special area. He also complained that although I had some experience of District Board administration but he was not willing to accept my explanation, I could not do much better in having my hands in the preparation of the budget. Sir, in regard to the last complaint I can only say that it is one thing to ask for more grant for particular purposes and quite a different thing to formulate a policy of one's own. What I said was that the budget did not represent any policy which was my own. The policy was the policy of the late Government. What I could do was only to ask for some more money. I can assure the House that I tried my best to have some more money out of the Finance Minister and my honourable colleague will I hope bear me out.

**Mr. SPEAKER:** Your time is up.

**The Hon'ble Maulvi SYED NAUSHER ALI:** I have almost finished, Sir. Coming to the complaint about smallpox, I was told by my honourable friend Mr. Abdul Bari that he had been a member of the District Board for quite a number of years, for a period much longer than I myself was a member of the District Board and it is not unknown to him I presume that it is not only the duty of the Government but also of the District Board to cope with this epidemic. I do not, as I have stated, disown for a moment the responsibility of the Government in this matter but what I am going to state is that the present policy of Government is that the District Board take the entire responsibility and Government gives a certain grant to the District Board and the District Board generally have got the necessary staff for vaccination and for other purposes. Now, Sir, whenever there is an outbreak of any epidemic disease in any district it is the duty of the Chairman of the District Board to ask for assistance from the Public Health Department. I think the District Board of Murshidabad never asked for any assistance. (A voice: They did ask for assistance which was denied.) Whatever they asked for I hope they received from the Public Health Department. (A voice: They did not.) If my statement is incorrect I stand corrected, but that is what generally happens and I think that is exactly what happened in this particular instance too, but if the honourable member says that it was not complied with I accept that statement and I stand corrected to that extent. Government can certainly be blamed to that extent in not complying with the requisition of the District Board without valid grounds. But the matter was not at all put in this House in that way.

**Mr. ABDUR RAHMAN SIDDIQI:** On a point of order, Sir. The Hon'ble Minister has quite vehemently asserted one point and then when he is questioned turns somersault. I do not know if a member of Government is allowed to do it.

**Mr. SANTOSH KUMAR BASU:** Somersaults are points of disorder not order.

**The Hon'ble Maulvi SYED NAUSHER ALI:** It may be my information is not correct. I would like to be corrected by my friends in the House, if I am incorrect.

Now, Sir, I think I should make one statement with regard to the complaint made by my friend Mr. Anukul Chandra Das. He complained that the Calcutta Corporation is responsible for creating nuisance in the District Board of Jessore—I mean 24 Parganas—I

cannot forget the district of Jessore. However, Sir, I must say with due deference to my honourable friend that this complaint has been brought to my notice for the first time here and now. A conference was held recently in connection with the flooding of the area there—the honourable mover Mr. Anukul Chandra Dās who happens to be the Vice-Chairman of the District Board—and the Chairman, Rai Bahadur Jogesh Chandra Sen, were present in that conference. None of them ever complained of these things nor was this point raised by any of the experts present there. So we had no opportunity of knowing anything about this matter. Still I assure my friend Mr. Anukul Chandra Das that I will look into the matter as carefully as possible with the help of the experts of my department as well as of the department in charge of my Hon'ble Colleague the Maharaja and will see that by amicable arrangement, if necessary, between the Calcutta Corporation and the District Board of the 24-Parganas, the grievance, if any, may be removed.

**Mr. Khwaja SHAH'ABUDDIN:** What attitude the Hon'ble Minister will take if the Calcutta Corporation do not agree to come to a settlement?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I have no reason to apprehend any such contingency and being in charge of the Department of Local Self-Government I hope I shall be in a position to settle any dispute between one local authority and another.

One word and I conclude. Mr. Abdul Wahed from Mymensingh has complained of malaria in Mymensingh. I am fully conscious of the prevalence of malaria in Mymensingh and special steps are being taken for that district.

With these remarks, Sir, I commend my demand for acceptance of the House and request my friends to withdraw their cut motions.

**Dr. GOBINDA CHANDRA BHAUMIK:** In view of the assurances given by the Hon'ble Minister I beg to withdraw my motion.

**Mr. PRABHUDAYAL HIMATSINGKA:** Sir, in view of the plethora of assurances I beg to withdraw my motions.

**Maulvi ABDUL HARI:** I beg to withdraw my motion.

The motion standing in the name of Mr. Gobinda Chandra Bhaumik and the motions Nos. 562 and 563 standing in the name of

1937.]

DEMAND FOR GRANT.

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Mr. Prabhudayal Himatsingka and the motion No. 569 in the name of Maulvi Abdul Bari were then, by leave of the House, withdrawn.

The motion that a sum of Rs. 32,85,000 be granted for expenditure under the head "39—Public Health" was put and agreed to.

**Adjournment.**

The House was then adjourned till 3-45 p.m. on Wednesday, the 1st September, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of the Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 1st September, 1937, at 3-45 p.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, the eleven Hon'ble Ministers and 215 members.

**UNSTARRED QUESTIONS**

(to which answers were laid on the table)

**Placing of the services of the typists and copyists of the civil courts on  
salaried basis.**

**61. Rai HARENDRA NATH CHAUDHURI:** (a) Will the Hon'ble Minister in charge of the Judicial Department be pleased to state why no effect has been given till now to the Resolution carried in the Bengal Legislative Council on the 4th August, 1928, recommending that the services of the typists and copyists be placed on salaried basis?

(b) Have the Government made any inquiry to ascertain what extra establishment charges would be required in the different departments to give effect to the Resolution?

(c) If so, what are the results of such inquiries?

**MINISTER in charge of JUDICIAL and LEGISLATIVE DEPARTMENTS (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur):**

(a) and (b) It was decided after inquiry that no action could be taken in view of the financial loss involved if a sufficiently large staff were to be entertained so that there would not be undue delay in preparation of copies. The Special Officer appointed last year to inquire into the question of staff in civil courts has also reported on the subject and his report is under consideration.

(c) It was roughly estimated that the total extra annual cost for the Judicial, Revenue and Registration Departments would be about Rs. 5 lakhs.

**Mr. ABDULLA-AL-MAHMOOD:** When did the special officer submit his report, and when will the consideration of it by Government be finished?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** It is in the answer that the special officer appointed last year to enquire into the question of staff has also reported, and I have nothing further to add.

**Babu NACENDRA NATH SEN:** In the last sentence of the answer (a) and (b), it is mentioned that the special officer appointed last year has also reported on the subject. I want to know whether the special officer appointed later on is the same officer who was appointed previously?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I have got only two sections of the answer, and I cannot say anything definitely on the point.

**Babu NACENDRA NATH SEN:** What is the name of the officer who made the enquiry?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** That also I cannot say.

**Maulvi ABDUL BARI:** Is it a fact that since 1928 the number of staff of copyists and typists has been sufficiently reduced?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I want notice.

**Mr. JOGESH CHANDRA GUPTA:** Has the Hon'ble Minister considered the possibility of maintaining a minimum staff on salaried basis?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** If you appoint these people on a salaried basis, you will have to spend rupees five lakh more.

**Mr. JOGESH CHANDRA GUPTA:** I ask the Hon'ble Minister to let the House know whether a minimum staff of copyists and typists can be engaged on salaried basis, others being engaged on piece system when there is pressure of work. Has that been considered?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** This *via media* was never thought of before.

**Maulvi ABDUL BARI:** What is the average income of a typist or copyist in a civil court?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**  
I want notice.

**Mr. JOGESH CHANDRA GUPTA:** Is the Hon'ble Minister now prepared to consider the *via media* as otherwise many persons will serve as copyists and typists all through but will not be entitled to any of the benefits of permanent service?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**  
It is a request for action.

**Mr. JOGESH CHANDRA GUPTA:** What are the specific matters in the report that are being considered by Government?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**  
I want notice.

**Babu NAGENDRA NATH SEN:** Is the report of the special officer confidential?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**  
No; as far as I know, it is not confidential.

**Babu NAGENDRA NATH SEN:** Is the remuneration of typists and copyists sufficient?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**  
They get living wage.

#### Principle of nomination in the Local and District Boards.

**62. Mr. CHARU CHANDRA ROY:** (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state the principle on which Government nominations to Local Boards and District Boards are made?

(b) Is the Hon'ble Minister aware of the public feeling against the recent nomination to the District Board of Mymensingh from amongst the members of this House only?

(c) If the answer to (b) is in the affirmative, what are the reasons?

(d) Is the Hon'ble Minister aware that in recent nomination to the Tangail Local Board—

(i) three members were nominated by the Government from the Tangail thana; and

(ii) no member has been nominated from the Basail thana?

(e) Is the Hon'ble Minister also aware that in the Tangail Local Board—

- (i) there are two elected members from the Tangail thana; and
- (ii) only one such member from the Basail thana?

(f) Are the Government considering the desirability of making equitable distribution in future nominations?

**MINISTER in charge of PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Maulvi Syed Nausher Ali):** (a) The principle of nomination is mainly to secure association, in the local bodies' administration, of officials and other persons specially fitted for appointment as members and to secure the representation, wherever possible, of minorities of importance whose claims have not been safeguarded by reservation of seats under section 10A of the Local Self-Government Act, and who have not been able to secure representation by election.

(b) No.

(c) Does not arise.

(d) (i) Two members besides the Circle Officer who is *ex officio* nominee, were nominated from Tangail police-station.

(ii) Yes.

(e) (i) and (ii) Yes.

(f) In view of the principle explained in the answer to (a), no consideration of equity as regards territorial distribution arises in the matter.

**A Member:** With reference to answer (a), are the scheduled castes considered as a minority community, and if so, have the claims of scheduled castes candidates to nomination been favourably considered?

**The Hon'ble Maulvi SYED NAUSHER ALI:** The scheduled castes are generally considered to be a minority community of importance and their claims are considered at the time of nomination.

**A Member:** Is it the policy of Government to nominate defeated candidates?

**The Hon'ble Maulvi SYED NAUSHER ALI:** There is no bar to the appointment of a defeated candidate, but personally speaking, I do not like to appoint defeated candidates.

**Mr. Khwaja SHAHABUDDIN:** May I know the reasons why the Hon'ble Minister does not like to appoint defeated candidates?

**The Hon'ble Maulvi SYED NAUSHER ALI:** The reason is palpable. When a constituency has given a verdict against a man it is not desirable that the same man should be nominated. (Hear, hear, from the Opposition.) "

**Mr. A. M. ABDOUL HAMID:** How many members of this House have been appointed?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I think four.

**Mr. SYED JALALUDDIN HASHEMY:** Is it not a fact that the principle and policy of nomination in the administration of local bodies have failed to achieve purpose for which it was introduced.

**The Hon'ble Maulvi SYED NAUSHER ALI:** That is too big a question for me to give an opinion off-hand.

**Mr. P. BANERJI:** Is the Hon'ble Minister considering to do away with the system of nomination?

**The Hon'ble Maulvi SYED NAUSHER ALI:** That is under my consideration.

#### **Mymensingh-Tangail Road.**

**63. Mr. AMRITA LAL MANDAL:** Is the Hon'ble Minister in charge of the Communications and Works Department considering the desirability of taking steps for the completion of the Mymensingh-Tangail Road without delay?

**MINISTER in charge of COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Kasimbazar):** Yes. The work on the road in respect of bridging which has been taken in hand is expected to be completed by the end of 1939.

**Khan Bahadur MOHAMMED ALI:** When will the work of metalling the road between Mymensingh and Tangail be likely to be taken up?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I cannot give any definite date, but I may say that as this is an important route we are trying to expedite matters.

### Road Development Projects of Mymensingh.

**64. Mr. ABUL HOSAIN AHMED:** (a) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

- (i) the amount of money placed at the disposal of the Government of Bengal on the recommendation of the Road Development Board for the year 1937-38;
- (ii) the projects on which the said amount is proposed to be spent;
- (iii) the amount proposed to be spent on the Mymensingh-Tangail Road;
- (iv) the period within which the Mymensingh-Tangail Road is likely to be completed; and
- (v) the amount of estimate for the construction of bridges between Kalihati and Tangail?

(b) Will the Hon'ble Minister be pleased to state whether Government are contemplating taking up other sanctioned projects of the district?

(c) If so, when and which project is proposed to be taken up first?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**

(a) (i) No allocation of funds for the year 1937-38 has yet been made by the Government of India.

(ii) and (iii) The amount when received will be credited to the current Provincial Account and spent on the various sanctioned schemes taken up for execution. Annual grants made by the Government of India are not set apart for expenditure on specified projects.

(iv) The work on the road in respect of bridging, which has been taken up in hand is expected to be completed by the end of 1939.

(v) The amount is roughly estimated at Rs. 44,28,000.

(b) and (c) The Provincial Board of Communications have very recently approved of a project for improving the road between Muktagacha and Tangail. The work cannot however be taken up until this project is approved by the Government of India and until the detailed estimate is prepared and sanctioned by the Bengal Government.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister aware that in the budget just presented there are lists on page 148 of roads that are to be taken up by the Communications and Works Department or by District Boards from the Road Development Fund?

**Mr. SPEAKER:** I think he is supposed to be aware of that.

**Dr. NALINAKSHA SANYAL.** My point is that there is a specific provision for the year 1937-38 in the budget and that the Government of India do not come in in that connection as has been stated in the answer.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** The question specifically mentioned the year 1937-38 and as such I have replied that funds have not yet been allotted.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister aware that under Road Development works to be carried out by District Boards with grants-in-aid there is an item "Mymensingh-Tangail Road" for which Rs. 3,45,000 was sanctioned and a second item "Tangail-Mymensingh Road" for which Rs. 50,000 have been provided in the budget. Is he aware that this budget has already been under consideration and taken up by Government and that money has been provided for?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I am afraid I cannot answer without a reference to the budget.

**A Member:** What amount do the Government of Bengal expect to get from the Government of India for Road Development?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** It is not a question of expectation but one which entirely depends on the Government of India.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister aware that the Mymensingh-Tangail Road is a portion of the main route and not a different route?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I want notice.

**A MEMBER:** How many Road Development Schemes are now before Government?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I want notice.

**A Member:** Is there any scheme for Midnapore?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I submit this has nothing to do with the main question.

**Mr. SPEAKER:** I am afraid you cannot drag the Hon'ble Minister from Mymensingh to Midnapore all at once. (Laughter.)

**A MEMBER:** When will the Tangail-Mymensingh Project be taken up?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** I think a portion has already been undertaken and the rest will be taken up gradually.

#### Delay in answering questions.

**Al-haj Maulana Dr. SANAUULLAH:** Mr. Speaker, I want to know, Sir, whether Rules 22 and 23 of the Assembly Rules and Standing Orders are observed more in the breach than in their observance. Those Rules are mandatory and they enjoin that a question shall be answered within 15 days from the date on which notice is given. I have given notice of some questions on the 4th and 5th of the last month, none of them has yet been answered, but regarding many others I have not yet been even informed whether they have been allowed or not.

**Mr. SPEAKER:** I seriously object to your remark that the Rule is honoured more in the breach than in its observance. I cannot allow you to make such a statement. Members are expected to be present in the Assembly when it is in session and to keep themselves informed of important rulings from the Chair. If Dr. Sanaullah was a bit more attentive and had attended at the time when I gave a ruling on this point he would have heard me say that the fifteen days' notice does not mean that a question will be answered within 15 days of its receipt. It means that he must give notice of 15 days so that the question may be admitted by that time. But after that the period of time which will be taken by Government to answer the question is not specifically stated in the Rules and Standing Orders and as such I cannot help any member unless and until the House makes a change in the Rules. This matter is going to be settled by a Committee which will soon be convened. But until that is done, it is not open to the Chair to compel a Minister to answer a particular question within any specific time.

**Al-haj Maulana Dr. SANAUULLAH:** My point is that Government has been taking an indefinitely long period to answer questions.

**Mr. SPEAKER:** As I have already said I cannot help members in this matter at present; but I hope members may not be so impatient in this, the first session of the Assembly. They should realise the difficulties not only of the Assembly Department but of Government Departments as well—although those Departments do not concern me in any

way. As I have already said I had to send 300 questions to the Administrative Departments, *en bloc*. Considering the staff and time at our disposal and also the fact that members send questions all at a time, I hope my friend would have some patience to wait for the answers, but if I find that there has been an inordinate delay I will certainly draw the attention of the Minister concerned.

#### Defective acoustic condition in the Chamber.

**Mr. ABDUR RAHMAN SIDDIQI:** May I take the liberty to bring to your notice a grievance in which, I am sure, every member of this august Assembly will support me? The *acoustics* of this House are becoming a nuisance. I have been waiting to bring this to your notice, but unfortunately, I did not get an opportunity. It may be that you will consult the Government Architect or the Public Works Department Experts so that they may suggest some remedy; but the remedies that come to my mind are that if two rostrums are placed in the House one to the right and the other to the left of the Secretary we shall perhaps be able to get over the difficulty. If that is not possible then I propose that microphones be introduced into this House. We consider ourselves to be sufficiently advanced and I do not see why science should not be brought into the service of this Chamber. If none of these suggestions is accepted, then you, Sir, and the Departmental Heads may be able to find out some other remedy. But it is a fact that when the Chief Minister or any other Minister makes an important announcement or statement of policy, this side of the House hears nothing. You have on occasions asked members to lower their pitch of voice, but I have seen the Chair saying "I am sorry, I could not hear you," or "I am afraid I could not catch you." We should take steps to get over the difficulty which has become a veritable nuisance.

**Mr. SPEAKER:** I think it would be better to place all your grievances to the Committee which is proposed to be convened very soon.

## THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

### DEMAND FOR GRANT.

#### 40—Agriculture and 41—Veterinary.

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:**  
On the recommendation of His Excellency the Governor, I beg to move

that a sum of Rs. 15,49,000 be granted for expenditure under the heads "40—Agriculture" and "41—Veterinary."

Sir, as the time of this House is very limited in regard to this grant, I shall be very brief so as to give an opportunity to other members to speak. The House is aware that the time at our disposal is very limited and that I have not been able to place any scheme before this Assembly. This budget is more or less a legacy of the old Government, and I think that the House would not like me to place before it ill-conceived schemes which may be defective and may materially affect the prosperity of the people of this Province. (Dr. SANYAL: Were you sleeping?—) No you might have been—(Dr. SANYAL: But you were drawing money and we have not.) Now, Sir, I want to go into the whole question of the working of this department. As the House is aware, I am new to the subject, and I could not in such a short time prepare any scheme until I knew that thoroughly. Therefore I have not been able to place any fresh proposals before this Assembly. I quite realise that the grant is hopelessly inadequate. In my examination of the department I like to place before this House certain aspects which, I think, should be placed before it. One is that this department had never had a Fairy God Mother as other departments have. I do not wish to say anything else of the late Government, but it seems to me that this department was never considered sympathetically by the previous Government. When there was an economic depression in this country, a Retrenchment Committee was appointed and the axe fell heavily on this department. Most of the retrenchment was in the Agricultural Department. Therefore I fully realise that this department has not been able to serve the purpose for which it has been created. That is for the benefit of the cultivators who represent 80 per cent. of the population of the Province. Secondly, Sir, I wish to tell the House that agricultural education in this Province is absolutely nil. We are in the unfortunate position to-day that it is impossible to find anyone who is capable of being taken in this department with an agricultural knowledge of any kind. We asked the Public Service Commission sometime ago to give us some men for the Subordinate Agricultural Service and out of the 29 candidates the Commission rejected every one on the ground that they had not the requisite qualifications. Then, Sir, the condition of Bengal is quite different from that prevailing either in the Punjab or anywhere else where agricultural education is given to the people. Even if we have to take men from outside they will not be quite suitable for Bengal, because if you take a man from the Punjab he knows more about cotton and wheat but nothing about jute and other crops which concern Bengal itself. In answering a question I said the other day that it is my desire that we should have men from Bengal taking their proper place here. But unfortunately if nothing is done to impart agricultural education to our young men we will have no other alternative but to

take people from outside, although they will be second rate men. In the same way the department is supposed to give advice and help to cultivators. In regard to that, I must say that the department has failed, because we have not sufficient demonstrators and other agriculturists who are fit to place facts before cultivators for their benefit. On the research side the department has done much and very useful work. But it is very unfortunate that with the research done by the department, it is not possible to benefit the cultivators, the reasons for which I have already stated in the Assembly. I have just formulated a comprehensive scheme on which I have had the advice of experts and it is now in the hands of the Finance Minister. I am sorry I cannot give you full details as it has not yet had the sanction of my colleagues. But I must say in this connection that no scheme can either be completely comprehensive or absolutely correct; I can assure you, however, on the floor of this House that I will do my utmost for the uplift of the agriculturists and that although I am a zaminder I am proud to say that I am a servant of the public, and as such—(Dr. SANYAL: But your zamindari has gone to the Court of Wards.) That might be so, but I shall prove later on to my honourable friends where my zamindari should go—

**MR. SPEAKER:** Dr. Sanyal, I must tell you that you must have some respect for the ruling of your leader who ruled in my absence that running comments are not permitted. I admit that running comments may be sometimes lively and useful but it must not be such as to hamper the normal course of debate.

**DR. NALINAKSHA SANYAL:** Sir, I rise on a point of order. The ruling which you gave the other day, applies to the Chief Minister and to the Leader of the Opposition. Is it your ruling, Sir, that it applies to everybody?

**MR. SPEAKER:** It does not apply to the others, but I think the way in which you make running comments in the course of a speech creates a disturbance in the mind of the member concerned.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** How is the Chief Minister concerned?

**MR. SPEAKER:** Dr. Sanyal was referring to the ruling which I gave that the Leader of the House and the Leader of the Opposition should not be interrupted while speaking, under any circumstances; and Dr. Sanyal's point is whether he can interrupt anybody else. To that my decision was that sometimes reasonable interruption may be helpful, but when one goes beyond limits it takes away all the sweetness of the proceedings (laughter).

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I, Dr. Sanyal, and myself try to obstruct each other (laughter).

**The Hon'ble Nawab K. HABIBULLA Bahadur, of Dacca:** As I was saying I am a servant of the public and as such a servant of this House. (Hear; hear.) I am always prepared to accept any suggestion or any formula which, I think, would be reasonable and practicable for the amelioration of the toiling millions. I am prepared to accept and incorporate such suggestion in the scheme which I have already formulated. If the Agriculture Department is to serve the purpose for which it has been created, i.e., service to the cultivators, then it is absolutely essential that the Department should be organised, more staff should be given to it and proper facilities for agricultural training should be provided. All these are in the scheme which I have formulated and which is now before the Finance Department.

In regard to the Veterinary Department, the same remark applies with greater force because, as you will see, Sir, the Agricultural budget is Rs. 10,65,000 and the Veterinary budget is Rs. 4,84,000, i.e., Rs. 15,49,000. This House can realise that this is a very small sum of money and you can not very well expect the departments to work sufficiently well and sufficiently to the interests of the people whom they serve—

**Dr. NALINAKSHA SANYAL:** Sir, may I interrupt the Hon'ble Minister and point out to him that the budgeted amount is Rs. 11,74,000, of which the voted amount is Rs. 10,65,000 and the non-voted is Rs. 1,09,000, so that does not take the amount from the Department.

**The Hon'ble Nawab K. HABIBULLA Bahadur, of Dacca:** That is for the Chittagong Hill Tracts on which this House or myself has no voice. I am only trying to put those matters on which this House has got a voice. As I said before, I do not say that I am infallible or that my scheme will be absolutely cast-iron; for the benefit of the agriculturists at large, as I have said, I am always prepared for any member of this House or the outside public to put up scheme to me which I can assure them will have my earnest consideration, and if the scheme is practicable, I shall be very pleased to incorporate it in the scheme which I have presented to the Finance Department for its approval. As I said before, the time is very short, I do not want to take up the time of the House in enumerating all the difficulties which this Department has been suffering from. I trust that if I have left out anything, the hon'ble members of the House will forgive me. I am sure other members of the House are anxious to speak and I should

like to hear what they have to say so that with their help, co-operation and suggestion I may be able to work the Department for the development of the material prosperity of the population of this Province. (Applause.)

**Maulvi ABDUL HAKIM:** Sir, I beg to move that the demand for Rs. 15,40,000 for Agriculture and Veterinary Departments be reduced by Rs. 100 in order to discuss the failure of Government jute propaganda scheme and restriction of jute cultivation by legislation and fixing a fair minimum price.

(The mover was delivering his speech in Bengali.)

As he rapped the table, Mr. Speaker said—

“Maulvi Sahib, I would ask you not to put your hand on the table. On the last day I had a bitter experience of it.”

**Maulvi ABDUL HAKIM:** (Continued his speech in Bengali.)

(At one stage it appeared that the speaker was being helped with suggestions by members of his party in connexion with the dividends earned by the shareholders in jute companies.)

**Maulvi ABDUL LATIF BISWAS:** Is the member being prompted, Sir?

**Mr. NIHARENDU DUTTA MAZUMDAR:** Mr. Speaker, Sir, may we know whether the other side of the House take this matter as a joke, or are they serious about it?

(Cries of “No, No; we take it most seriously” from the Coalition Group.)

(At this stage Maulvi Abdul Hakim reached the time-limit and resumed his seat.)

At this stage the House was adjourned for 15 minutes.

(After adjournment.)

**Mr. C. C. COOPER:** Mr. Speaker, Sir, I am at this disadvantage that I could not understand the probably specious arguments put forward by the mover of the cut motion, as his language is not known to me.

The agitation to fix a minimum price for jute started during the time of depression when like every one else engaged in trade and industry the raiyat suffered in being unable to secure a fair price for his product.

With a return to more normal conditions, the raiyat is benefited in obtaining a full price for his jute, and to-day he is earning a very good profit on his jute, which is more than the jute mills are doing.

There seems to be a weird and strange idea in the minds of some people that the jute mills are the oppressors of the raiyats. That we manipulate the market for our own selfish ends, and do not give the raiyat a fair deal. Nothing could be further from the truth. In purchasing our raw material, we are largely guided by the state of the manufactured goods market, by the ordinary economic laws of supply and demand. We may take a view of the market on ordinary everyday business lines, which as businessmen we are justified in doing, but it must be remembered that we are manufacturers, neither merchants nor gamblers. If any manipulation of the jute market is done, it is done by the professional operators in the Futka, it is not done by the mills, as it is not our business to gamble. Presumably the underlying idea of the supporters of the motion now under discussion is to artificially boost up the price of jute without any thought or consideration of the many difficult issues and dangers involved by such action. I venture to remind the supporters of this motion the wisdom of two very ancient old tags "Make haste slowly" and "Look before you leap". I do so because my feeling is that they are in too much of a hurry to leap a formidable jump which they have never looked at from the landing side.

I presume the object in wishing to fix a minimum price for jute is to enable the raiyats to gain a higher profit than they are earning to-day! If so, the maximum price fixed must be high, and in the absence of legislative control of production, the immediate effect would be to increase the area sown. On this would follow the position where the raiyats would be left with large quantities of unsaleable jute, because consumers could not build up stocks at prices which were above economic levels. Unless the Government would be prepared to take over surplus stocks at the minimum price, the raiyat would be no better off, probably worse off, than he is at present. This inevitably would mean the eventual and rapid collapse of the scheme. We are convinced that legislative control of production is not practicable, and it is our firm conviction that the fixing of a minimum price for jute is outside the realms of practical politics unless it is backed up by legislative control of production. Even if this dual control be achieved, the scheme would have a brief and doubtless merry existence for a season, and would be followed by most disastrous results. The enormous expansion in the use of jute goods since prices fell, points a warning against raising the prices of the material too high. Jute is a money crop, and the true alternative in the case of restriction must be a money crop also. What has yet to be discovered is how to control the production of jute so that the

raiya get a reasonably remunerative price for it without putting the price so high that it restricts the outlet for jute, or opens the way to the competition of substitutes. During the last restriction periods the raiyat was given plenty of advice about the growing of rabi crops. These crops were not really substitute crops for jute, though by utilizing land which was otherwise lying fallow, they had a possibility of compensating the raiyats for loss of production on land which was thrown out of jute cultivation.

One cannot get away from the simple economic fact that the price of jute like that of any other commodity must ultimately be controlled by supply and demand.

There is one big factor which I must emphasize, as the fact would not appear to be realized by this House. Jute is not a monopoly of Bengal. The word "monopoly" is used in a very loose sense when talking about jute, and the fact is often lost sight of that the monopoly enjoyed is dependent on a competitive world price. With currency and other International difficulties, there exists to-day a greater incentive than there has been in the past to experiment with substitutes. Germany is an example in point in producing substitutes, but Bihar and Assam are active competitors of Bengal in producing large quantities of jute, whilst Java seems to be entering the market.

Any measure therefore of Provincial legislation to control the price and production of jute in Bengal will be useless unless the provinces of Bihar and Assam can be persuaded to work in union with Bengal.

I ask if it is possible, and I am constrained to reply—No! Under the financial arrangements now in force under the Government of India Act, 1935, the more jute which the Provinces of Bihar and Assam grow, the more they will benefit from the distribution of the receipts of the Jute Export Duties. There is ample evidence that the unilateral system of restriction applied to other commodities has failed. Take for instance the cases of rubber, tea and coffee. We are convinced that any scheme for fixing minimum prices in Bengal would be bound to fail because raiyats in other provinces would send jute to Bengal to get the benefit of a minimum price, and they would be in the advantageous position of having no restriction placed on the quantity of jute which they might grow. What then would be the position of the Bengal Government if under the minimum price scheme, it had to take over surplus stocks. It would be impossible to trace the origin of the jute, and Government would be overwhelmed with the produce of neighbouring provinces. Therefore the scheme is utterly impossible as a Provincial undertaking.

It is difficult to conceive of any organization which could entirely prevent a producer from selling or a buyer from buying at below the limit price, if it prove profitable to both parties to do so.

Balers, both European and Indian, give out huge advances amounting to many lakhs of rupees to enable the Bepary and Fariah to buy jute and bring it in from the interior. In the event of a fixture of a minimum price, these advances would have to cease, as no individual baler could accept the risk of finding himself in the position of having the bulk of his capital out in advances and being prevented from selling jute! This would be the position the baler would find himself in, if consumers in Calcutta and overseas by the laws of supply and demand were unable to pay the price fixed. I need not stress the fact that the cultivator always needs ready cash. I have said jute is a money crop, it is therefore essential that the raiyat should be paid cash at the time of delivery of his jute, otherwise his plight will be great.

These are only a few of the many considerations which would render the operation of any minimum price scheme extremely difficult to perform, there are many others which unfortunately I have no time to enumerate. I, therefore, oppose the motion.

**Mr. SPEAKER:** I might at this stage say that I have received from the different parties names of as many as 18 speakers. I think the time at our disposal will not permit me to allow so many speakers to speak. I have therefore selected the following members who will speak in the order I name them. The names are—

- (1) Mr. Syed Jalaluddin Hashemy,
- (2) Mr. Sasanka Shekhar Sanyal,
- (3) Maulvi Hafizuddin Chowdhury,
- (4) Mr. Debi Prosad Khaitan,
- (5) Maulvi Aminullah,
- (6) Mr. Surendra Nath Biswas,
- (7) Mr. Monmohan Das,
- (8) Mr. Nishitha Nath Kundu, and
- (9) Mr. Shah Abdur Rauf.

after they have spoken any time remains, I will consider whether I shall give any further time to other members to speak.

**The Hon'ble Mr. A. K. FAZLU' HUQ:** Sir, the time allotted to this demand is 1½ hours. We, too, would want to say something on this motion.

**Mr. SPEAKER:** Let us see how it develops. I may tell you that in allowing only six minutes to each speaker.

**Mr. SYED JALALUDDIN HASHEMY:** Mr. Speaker, Sir, I rise to support the cut motion moved by my friend Maulvi Abdul Hakim. Sir, I think it is hardly necessary to mention here that I am a cultivator myself—cultivator not by birth, not by profession, but by choice. It is needless also to mention here that a plot of land consisting of 30 bighas is cultivated by me—directly under my supervision. So, what I will speak here I will speak from my own personal experience, and I hope that the Hon'ble Minister will give a sympathetic and reasonable reply to what I will suggest and what I am going to suggest. Sir, I did not agree with the jute restriction propaganda of Government on principle and also I did not agree with the principle of jute restriction because it was conducted by half-educated, ill-educated, circle officers who did not know what they had been preaching all the time. Sir, in coming to my suggestions to the Hon'ble Minister I will at the outset say that for the benefit of the peasants of Bengal he should bring the Indian Jute Mills Association under the Public Security Act. (Laughter.) This Jute Mills Association is a dangerous association, more dangerous than the Congress associations or the Communist associations. It is dangerous to society, particularly it is dangerous to the peasants of Bengal. This Association is eating into the very vitals of the peasants of Bengal. If I fail to convince the Hon'ble Minister that he should deal with this Association under the Public Security Act, then I would request him to declare this Association, of which Mr. Cooper is a representative here, illegal.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I take note of your suggestion.

**Mr. SYED JALALUDDIN HASHEMY:** Mr. Cooper while speaking has suggested about the Fatka Bazar. To my mind, Sir, the jute mills association and the Fatka Bazar are twin brothers in regard to their feelings towards the poor cultivators. Only one example will show how myself and my elder brother were cheated by the Jute Mills Association and their agents and sub-agents. Only last year after selling some jute I had about 60 maunds in stock for sale. My elder brother wrote to me asking my advice as to whether it could be sold profitably at that time. The jute market of Calcutta then was Rs. 6-4 per maund. But my poor elder brother had to sell that 60 maunds at Rs. 4 per maund as he was shown one telegram sent by some Jhunjhun Wallah or some such person, I do not remember the name, and my brother was made to understand by the agents that the jute price had fallen down considerably and would still fall down. My brother apprehending danger of a further loss was compelled to sell that 60 maunds at Rs. 4 per maund at a time when the actual market price was Rs. 6-4. The underlying principle

of this jute **Fatka Bazar** is to mislead people. They send out ~~bogu~~ <sup>bogus</sup> telegrams to their mufassil agents and the latter show the telegram to the market people and to the sellers of jute: they say that the price of jute has gone down very considerably and may still go down. Mufassil people, ignorant as they are, believing these agents and sub-agents sell their jute at any price. This organisation, Sir, is there to rob the poor ignorant people. This will not happen if jute is sold at a particular standard price and I entirely agree with my friend **Maulvi Abdul Hakim** that the price of jute should be fixed at Rs. 10 a maund. I do not care for what **Mr. Cooper** said about jute being imported from Bihar and Orissa or Java. Let them purchase jute from those places. If the price is fixed, the cultivators and sellers of jute will not be cheated by these agents of the **Fatka Bazar** or the **Jute Mills' Association** or by the aratdars of Calcutta. It is only for that reason that we suggest that there should be a standard price fixed and if any association or any company purchase jute at a lower price than the standard fixed, they should be penalised.

(The member having reached the time-limit resumed his seat.)

**Mr. SASANKA SEKHAR SANYAL:** It seems to me that agriculture is going on immediate hunger-strike. This by far the greatest industry of our country has been neglected and neglected till it has reached a point of despair and a mere allotment in a spirit of patronage without consulting the day to day problems of agriculture is nothing less than insult added to injury. I can understand the indifference of previous Governments to the cause of agriculture, but a Government flourishing on the sufferance of this House the majority of whose members are representatives of rural Bengal to pass on merrily with the costly administration of law and order with only a tinkering reference to agriculture with a few lakhs is not easily tolerable. It is not a question of a few lakhs. What is wanted is a bold policy imagination, a definite, even revolutionary change in the angle of vision. The Hon'ble the Chief Minister has frequently referred to Government's right angle of vision but I would ask for more, for a straight angle, an angle straight from Dalhousie Square to the impoverished and neglected soil of the fields of Bengal. We on this side of the House are accused of being obstructionist, but I assure you, Sir, we are not such for the mere fun of it. We feel and we realise and the conviction grows steadily upon us that all this pomp and splendour of legislatures, all these wise deliberations and debate are of no avail to the dumb millions of peasants by whose names we swear and for whom we profess to weep. Constructive suggestions are asked for and I may give one and a very simple one. I will advise the Government to go to the fields and to clasp the plough in a spirit of sympathy and active encouragement. The Hon'ble Finance

Minister's pathetic figure behind the plough has become weary and exhausted. He cannot wield his small machine with any strength and confidence and if Government sincerely desire that a healthy tone should be introduced and that new hopes should be inspired, I would advise the Hon'ble Ministers not to wait at headquarters stations, receiving conventional and insincere addresses but to take regular excursions to the rural areas with a view to inspiring a feeling that behind the plough and the ploughman the resources of the State are available, that floods need not chill them, that drought need not scare them and that Government are ready and prepared to combat and conquer the hostile forces of nature. We have our Collectors, Subdivisional Officers and Circle Officers, our district boards and local boards and union boards organisation and if we knew now to use them, these men and institutions, with a little imagination I am sure the lethargy and despondency in rural Bengal would be a thing of the past. I would suggest each district and subdivision to have an agriculture department entrusted with the task of studying the peculiar problems of the locality with a view to getting appropriate crops at minimum cost and controlling and regulating the price of them. Cultivation must be organised, if necessary forced, on a co-operative basis so that the crops may become a care of society and not an affair of individuals. Similarly, the storing of grains is to be a public concern and marketing a State affair. I am not preaching communism. I am still a believer in individual ownership, but all the same I do believe that group working gives greater strength and efficiency than the strength of individuals put together. The executive and administrative officers must go about in the villages instructing and guiding the tenantry—

(Here the member having reached the time-limit resumed his seat.)

**MAJID HAFIZUDDIN CHOWDHURY:** Sir, in support of the motion moved by my honourable friend Mr. Abdul Hakim I would like to speak a few words.

Sir, Bengal is pre-eminently an agricultural province and the wealth of Bengal, the stability of its people and its future are intimately bound up with the future of its agriculture. The economic prosperity of the province must therefore be sought through the prosperity of its teeming, tillers of the soil. Besides this, only a great agricultural Bengal will allow the development of a great industrial Bengal.

Bengal, Sir, holds a unique position in the world's market of raw materials. Jute is its monopoly. Paddy is grown in abundance and a new enterprise has been launched in producing sugarcane as a substitute for jute on a vast industrial scale.

Whatever might be said of her production it is true the land of Bengal has lost its productivity for many reasons. It is quite up to

to the Government to direct its best attention to the deteriorated condition of land and suggest ways and means of improving it. But from the budget we can well understand that no serious attempts have been proposed to be made in this direction. The establishment of a few agricultural farms holding occasional exhibitions, attended by a gay city-lights and men about town is no effective method of procedure. This is rather a wrong track.

Sir, the dumb millions, whom we represent in this House, should not be neglected in the manner that they had been in the old. We want the grievances of Bengal cultivators in respect of Tenancy Legislation, education and economic salvation to be redressed immediately.

In the budget speech the Hon'ble the Finance Minister in the usual common-place way has said 'to lift the masses from the depth of misery, ignorance and poverty to which they have sunk'. Mere sympathetic lip-service is of no avail.

We find, Sir, that there is an apparent increase of expenditure in the budget under the head "Agriculture". This is due to items of new expenditure amounting to a sum of Rs. 1,90,000. If this sum be deducted from the total expenditure, we will have a decrease of the sum of Rs. 34,000 in what was expended last year on this head. So the Hon'ble Ministers in charge of Finance and Agriculture Departments have shown great apathy towards the agriculturists and agriculture.

Sir, increased production of crops alone will not help the agriculturists. But the minimum price of some of the principal crops such as jute and sugarcane should be fixed to improve them financially.

Here I shall illustrate some facts of my district, that is, the district of Dinajpur. Sugarcane is one of the chief crops that my district produces. The acreage under cultivation in 1935-36 according to Government report is 40,031 acres in my district alone, i.e., 40 per cent. of the whole of Rajshahi Division.

We have a sugar factory at Sitalganj carrying on production on a large scale owned by Messrs. Suraj Mal Nagar Mall. Contracts are made every year with the agriculturists in which only the agriculturists are liable to damages for non-compliance of the terms and that no price is fixed at the time of contract. This has sometimes resulted in the arbitrary fixation of sugarcane price on the part of the mill authorities. There is a district agricultural committee for fixing price of sugarcane and the committee fixed the price at 4 annas 6 pies per maund last year. But in contravention of the decision of the committee the mill authorities lowered down the price—

(Here the member having reached the time-limit resumed his seat.)

**MR. DEBI PRASAD KHAITAN:** I rise to say a few words in the course of this debate especially because the case of sugarcane in the United Provinces and Bihar has been cited as a justification for the fixing of the minimum price of jute in this province. Nobody will be happier than me if it were possible to realise a higher price for jute and jute products, especially in view of the fact that about 90 per cent. of the sale proceeds of jute and jute products come from outside the boundaries of India. We get the money from foreign countries and if it will ever be possible to realise a higher price for jute and jute products we should all be very happy; but in considering proposals for realising higher price we have got to consider the practicability. As I have already said, the example of sugarcane of the United provinces and Bihar has been quoted as a justification; I believe it is not known to the members of this House what the differences are between jute and sugarcane. In the case of sugarcane the whole of that used by the factories in respect of which the minimum price is enforced is delivered either at the factory gate or at the weigh-bridges set up by the factory at railway stations. No portion of that sugarcane is bought by or on account of the factories in the interior villages from the cultivators and transported by merchants or factories on their own account. It is easy for the Inspectors appointed by the Government to check the observance of the rule at the few places set up by the factories for the purpose of buying and taking delivery of sugarcane.

Another very important factor to be taken into account is that the whole of the sugarcane bought is used for the one and the same purpose. All the sugarcane goes into the cane crusher and the juice goes into the same juice tank and ultimately the juice is evaporated and sugar is taken out of it. But Sir, in the case of jute, different uses are made of the different varieties of jute. It is therefore absolutely necessary to have different prices for the different qualities of jute that are used by the various mills in and outside India. I have in my hand a list of the different qualities of jute that are grown in Bengal and they number over a hundred. The jute is then purchased not at the factories nor at the places of the jute dealers but by Farias and Beparies inside the villages which are situated at a thousand different places. The quantities of jute that are bought are small in quantity, different in quality containing a different percentage of moisture, a different percentage of sands, a different percentage of cuttings and mixed with so many other things that it is impossible for any Government however strong, be it of United States, be it of Egypt, to be able to check the observance of the minimum price rules. Then, Sir, how is it possible to fix the same minimum price for the different places when the cost of transport to the main centre Calcutta varies from place to place and varies again on account of steamer freight and railway freight? Nobody can say that the same cost of transport exists from two different

places: nobody can say that the same price should be paid for the different qualities of jute. For export purposes, jute is assorted into different quantities and packed in pucca bales. One quality of jute is known as *red marks*, another quality of jute *first marks* and there are other qualities as *lightenings*, *hearts*, etc., and *tossa*, *daisce* and all the different varieties of jute go to complicate the matter further. It is not possible that the same price should be paid for the best quality of jute as for the worst quality.

Sir, in the case of sugarcane, sugarcane growers have been taught to grow the Coimbatore variety and no factory takes delivery of any kind which does not belong to the Coimbatore variety. It is therefore easy in the case of sugarcane to enforce one single minimum price prevailing from the western point of the United Provinces to the eastern point of Bihar. In the case of jute, different prices must be paid for different qualities. It must be remembered, although there are people who laugh at the contention, that if a high price is fixed for jute there will be over-cultivation. May I remind this House, Sir, even at a price of 5 annas per maund fixed for sugarcane; of what was the result about the cultivation of sugarcane in the United Provinces and Bihar? There was so much over-cultivation that the Governments of the United Provinces and Bihar and the people of those two provinces did not know what to do with the improved variety of sugarcane that was grown there. They had to reduce the price of sugarcane from 7 annas to as low as 3 annas to induce the sugar factories to continue work even beyond the season in order that the overcultivated sugarcane might even in part be consumed by the sugar factories. Sir, what would happen in the case of jute if there be over-cultivation either in Bengal or in Bihar or in Assam or in Orissa? As has been pointed out by my honourable friend Mr. Cooper, the difficulty would be that these provinces would gain at the cost of our province which will not know what to do with the jute for which the minimum price has been paid. If as a result we have to lower the minimum price that will not benefit the cultivators, which follows as a matter of course. If we stick to the minimum price that we have fixed, either the Government will have to buy the surplus quantity of jute which is left over which will mean crores and crores of rupees for Government, or else the cultivators will be left with that quantity of jute to be carried forward to the next season and grow less jute and thereby earn less money.

(The member having reached the time-limit resumed his seat.)

**Mr. SURENDRA NATH BISWAS:** Sir, I rise to support the motion moved by my honourable friend Mr. Abdul Hakim. I did not like to speak with regard to this motion before I heard the speech of Mr. Khaitan. I may inform this House that Mr. Khaitan, who now opposes the control of production of jute by legislation, was one of

the members of the Jute Committee which held its sittings for several months and submitted two reports, and that the minority report, to which Mr. Khaitan was a party, approved of the control of production by legislation, of course not immediately but after giving a trial to voluntary control. Sir, the trial has been given but has failed. Then again, Mr. Khaitan opposes the fixation of the prices of jute. He has told the same story as Mr. Cooper has done, that it is not feasible to fix the price of jute. Sir, this argument is absolutely untenable. I have brought a Jute Bill, which I have given notice of introducing in this Assembly and in which I have dealt with all relevant matters. I admit that fixation of price cannot be made at once by a stroke of pen. In my Bill I have provided, Sir, that fixation of the price of jute must be preceded by fixation of grades. Mr. Khaitan says that the grades cannot be fixed on the ground that there are about hundred grades of jute. But, Sir, I may tell the House that all the grades of jute may be scientifically reduced to four grades only. If Mr. Khaitan will kindly look to the report to which he was a party, he will find that his committee also suggested the fixation of grades in the way in which I have done in my Bill. Sir, I will refer to that portion only of my Bill in which provisions have been made to four grades only of jute, namely—top, medium, bottom, and rejection of both Daissee and White qualities. I do not know, Sir, how and why Mr. Khaitan has changed his opinion to-day.

Then Sir, once the grades are fixed, a formula is not difficult to be found to fix the price of jute in order to ensure a minimum return to the jute-growers for their labour and expenses in respect of jute. It is known to all the members of this House that the jute-grower produces jute at the sacrifice of the span of his life and that jute is almost a monopoly of Bengal! But unfortunately for the growers of the jute it is owing to the indifference of the public men of this country and to the shame of the Government that the benefits of monopoly are enjoyed only by the manufacturers and traders and not by the jute-growers. Sir, I strongly support the view that a minimum price for jute can and ought to be fixed. I have provided in my Bill that the fixation of price must begin at the bottom on the basis of 50 per cent. over the costs of production. Once the minimum price for the lowest quality of jute is fixed, there would be no difficulty in fixing the minimum prices of the higher qualities, having regard to the world demand and the condition of world trade. Sir, there must be a fixed minimum price for the lowest quality of jute so that the jute-growers may get some return for their labour.

Then, Sir, Mr. Khaitan also says that it is not possible to maintain the fixed prices of jute and has cited the example of sugarcane in Bihar. But I submit that the example of sugarcane of Bihar does not apply. Because, the production of sugarcane is not controlled in

Bihar. If we control the production of jute by legislation, there will be no difficulty to maintain the prices we fix. Then, again, Sir, it is said that we cannot control the production of jute by legislation without putting the jute-growers to difficulties. But, Sir, if we can show that control of production will not be a hardship on the jute-growers, they will certainly support the control by legislation. I shall now show how—

(The member having reached the time-limit resumed his seat.)

**Mr. MONMOHAN DAS:** Mr. Speaker, Sir, I rise to support the motion of my friend Mr. Abdul Hakim and in this respect I beg to say a very few words. Sir, the question of restriction of jute cultivation and of fixing a minimum rate for the same is easily appreciated by the cultivators. Sir, I understand that the present voluntary jute restriction propaganda has really affected the poor country; because so far as I understand the people of East Bengal, specially the people of Mymensingh, have been specially affected. The cultivators have to make jute cultivation in restricted measures according to the direction of the local officers and as a result this year the poor cultivators of the East Bengal have been very much affected; not only regarding jute crop but also other crops. By the voluntary jute restriction propaganda, I beg to submit, the poorer section of the cultivators has been more affected than the influential section because the influential cultivators have much more access to the local officers, union board members, presidents and such other officers who are responsible for jute restriction propaganda.

Now regarding Mymensingh, Sir, as a result of jute restriction propaganda, most of the cultivators have grown sugarcane but they are not getting suitable price. So, Sir, I submit that there should be a minimum fixed price for the sugarcane as well. I will also submit, Sir, that in the thanas of Kishoreganj, Hossainpur, and such other thanas of the district, there is ample cultivation of sugarcane but there is no mill and these people are not getting any suitable price.

(The member having reached the time-limit resumed his seat.)

**Mr. NISHITHA NATH KUNDU:** Mr. Speaker, Sir, Maulvi Abdul Hakim has raised a question of very vital importance before the House regarding the fixing of a fair and minimum price of jute. No sermon from a chapter of political economy or from the books of account of the capitalists can satisfy the hungry, half-naked dumb peasants of Bengal unless this problem, which is involved and involved very intimately with the question of *dal bhat* of the masses, is solved radically and effectively. (Hear, hear from the Coalition Party.) The importance of the question is really realized by examining critically and carefully the economic position of the agriculturists. Sir, the main items of expenditure of the agriculturists are housing, clothing,

feeding, marriages, rents and union rates and contingency charges. Their main source of income is from the crops they grow, there being no secondary occupation for them. With the sale-proceeds of paddy and other minor crops the agriculturists meet their expenses for feeding, clothing, marriages and contingency charges; with jute they meet the rents and union rates. If after meeting all these any surplus is left, it is used for paying their debts and for constructing their houses. When the price of jute was high, the economic condition of the agriculturists improved and they could build somewhat good houses for them; they had no arrears on account of taxes and rents, and their indebtedness diminished to a great extent. With the fall in the price of jute their economic condition has been so very deplorable that it requires no enumeration. They cannot now regularly pay their debts, taxes and rents and in meeting their usual expenses with what they get now they are compelled to further curtail their already low standard of living. If we want to improve the economic condition of the peasants and the agriculturists, we should at once take up this question in right earnest. If we can improve their economic condition, we can improve the economic condition of the province as a whole. We can now imagine how the agriculturists and all the classes dependent on them have been adversely affected by the fall in the price of agricultural products, especially of jute.

(The member having reached the time-limit resumed his seat.)

**Mr. M. SHAMSUDDIN AHMED:** Sir, I rise to give my whole-hearted support to the motion moved by Maulvi Abdul Hakim. This matter is so much vitally important to the toiling millions of this province that I need not dilate at length on the necessity of fixing a minimum price of jute and on the necessity of legislation in regard to the restriction of jute production. These two things must be done. I would request the Hon'ble Minister, Nawab Bahadur of Dacca, to rise to the height of the occasion and to see—as he has declared before the House just now that he is the servant of the nation and I would ask him in all humility—that the peasants who are half starved and who do not get two meals a day, should get even the cost price of the production of jute, i.e., about Rs. 5 to 6. Now if the peasants of Bengal after toiling for 4 or 5 months get only Rs. 4 or 5 for the price of jute, it is not possible for them to maintain their family.

Mr. Cooper has said that at the time of depression, of course, the peasantry of Bengal suffered very much on account of the low price, but now the situation is quite all right. I would ask my friend, Mr. Cooper, to go to those places where the jute is produced and to see with his own eyes how jute is steeped and how jute is washed. He will then realize the terrible difficulties under which the jute growers work. In the mills I have seen managers living in beautiful bungalows

and palacial buildings and they have no idea of the conditions in which the cultivators of Bengal live and the conditions in which they produce jute, they steep jute and they wash jute. (At this stage Mr. Abdul Bari interrupted by some whispering remark.) My friend, Mr. Abdul Bari, is very much accustomed to interrupt me. I do not feel his interruption annoying, but I would remind him that he will have to face his constituency in a few days' time and render an account whether in fact he really tried his level best to get Government to fix the price of jute and restrict the cultivation of jute by legislation. (The Hon'ble Mr. SCHRAWARDY: Hear! hear.) No amount of "Hear, hear" from another Minister will do. I would also tell him: "Hear, hear, it is for you also to remember, that when you go back to constituencies outside Calcutta you will have to face the public that you stood in opposition to the principle, i.e., you did not want the price of jute to be restricted." Sir, I do not know much about the gradation of jute. It is a matter for the expert. I would ask my friend, the Hon'ble Nawab Bahadur of Dacca, to tell us, as to the grading, whether Mr. Khaitan or my friend Mr. Surendra Nath Biswas is right. Personally speaking I know that there are two or three grades and at present jute is sold at Rs. 2 or Rs. 3 per maund. I do not want to inflict a lengthy speech about this. As I have said I would request my friend the Hon'ble Nawab Bahadur of Dacca to rise to the height of the occasion and to exert his influence to see that the starving millions and afflicted peasants of Bengal are saved from the jaws of death and the production of jute is restricted by legislation and a minimum price is fixed.

**Mr. SHAH ABDUL RAUF:** Sir, I rise to oppose the cut motion of Maulvi Abdul Hakim. So far as the jute restriction scheme is concerned, I was really under the impression that Maulvi Hakim and his leader Mr. Shamsuddin Ahmed were the real benefactors of the tenants, but Sir, that impression of mine has been removed to-day because although they are trying to get popularity, both inside and outside this House they are not really doing any good to the cultivators. If you go into the question of restriction, you will find that in order to restrict cultivation of jute certain amount of pressure will have to be put on the cultivators; restriction means the restriction of the liberty of cultivators. My friends of the Congress party have always cried for removal of the restriction on the liberty of the people in every way. But Maulvi Abdul Hakim wants to restrict the liberty of the cultivators. You know very well, Sir, that the moment you want to restrict jute cultivation, the people who are entrusted with the duty will tell the cultivators that they have cultivated a bigha or so more than they were allowed and in this way the cultivators will be opposed. I am a member of a union board and I know of a case where the President fixed the union rate of a cultivator at Rs. 80 in order to teach him a lesson for cultivating more jute than what was allotted to him. If you want to restrict cultivation of jute you will have to

employ thoroughly honest officers. Where bribery and corruption prevail, to the poor cultivators, restriction will be an engine of oppression. It is very easy to fix the price of jute, say, at Rs. 10; it is very catching to the imagination of the public; but when you adopt a scheme you will have to employ officers who will find enough scope to oppress the poor cultivators.

Sir, it has been said that restriction will bring good to the cultivators and those who support restriction forget that lands cannot be allowed to remain fallow and there must be some substitute crop. So far as my district of Rangpur is concerned, I know very well that when by voluntary propaganda cultivation of jute was restricted to some extent, some lands remained fallow and in some sugarcane was cultivated. In Rangpur this year the price of gur (molasses) is abnormally low and the cultivators are suffering a lot. If owing to restriction less jute is cultivated, where will the cultivators get money to pay their rent to landlords or their dues to the mahajans? One member has said that if the price of jute is fixed, it will bring some money to the cultivators, but he is forgetting that jute is not a commodity like rice which can be consumed. If the cultivator undersells, then mischievous persons will bring him to the law courts to feed fat the ancient grudge they might have against him as there are party factions in the mufassal villages. Therefore it is not possible to fix the price of jute. Suppose for example you fix the price at Rs. 10 buyers do not buy at that price, the cultivators will not be able to pay their rent and will not have anything at all to meet their other necessities of life and underselling will follow. We know that in the months of Bhadra and Aswin all the cultivators sell up their produce of jute as they cannot stock it; they have not sufficient money to pay their rent to the landlords, therefore they are compelled to sell it at any price. If you really want to give some relief to the cultivators you will have to arrange it in such a way by a co-operative system as to collect the jute product at some centre and then by a system of monopoly sell it to Dundee and other places at profit. I think, that is the proper way by which you can do some good to the poor cultivators.

(At this stage the member having reached the time-limit, resumed his seat.)

**Mr. PRABHUDAYAL HIMATSINGKA:** It is well known that the price of an article is regulated by the economic law of supply and demand and that is the reason why the cultivation of jute should be regulated. Sir, you will remember that there was a committee which recommended that the cultivation of jute should be regulated. The question was whether it should be regulated by legislation or by voluntary propaganda. Voluntary propaganda on the basis of voluntary restriction has been tried and I think it has failed. Therefore the question is how to restrict cultivation. It has been admitted that

restriction is necessary. Therefore as voluntary propaganda has failed the only alternative is legislation. In this connection I want to bring to the notice of the House one important factor which is affecting the price of jute and that is the policy of the purchasers—the big mills and others—in the matter of having no grade of jute fixed.

Perhaps you are aware, Sir, that there are no standards fixed for jute. There is no commodity in this world which has no quality fixed for it, and this is the only commodity—a most valuable commodity in Bengal—that has no quality fixed for the different grades. What is necessary is that the grades should be fixed, for people ought to know what they are selling and buying and they should not be at the mercy of the buyers. What the mills at the present moment do is that they start with different grades, such as, 3's, 4's, rejection, etc. And just after beginning to make purchases at the start of the season they drop the top quality and they start with a new lower grade at the bottom. The result is that there is a hidden gain in price by forcing the sellers to deliver jute of a better quality against contracts entered into at the beginning of the season. You will be surprised to know the names of the qualities at the present moment, and how they have been changed. The jute mills at one time agreed that the rejection grade would be the lowest quality of jute that they would purchase. But in one year the rejections were the top or the first quality, then came L R's, and after that X L R's; that is to say, the first quality of jute came to be known in the market as rejection. The policy of the mills has throughout been that they start with buying a particular quality of jute, and in the beginning of the season when jute begins to come in, they enter into certain contracts for the higher quality of jute, pay a higher price, thereby inducing the cultivators to bring in more jute for sale, and then suddenly they drop the purchase in that quality and introduce a lower quality, and thus force the cultivators to sell jute at a lower price. You know, perhaps, that the difference between the different qualities in price is about 8 annas per maund, so that if the 3's are say, Rs. 6, then the 4's are Rs. 5-8, and the rejections Rs. 5, and so on. What they do is that by dropping the top quality they force down the price by 8 annas. This is a kind of loss that ultimately falls upon the cultivators. So, I say people ought to know what they are selling and what they are going to buy, and there will be no trouble as regards deliveries and this is a thing which I think even the buyers cannot resist. This is a proposition which they will not be able to dispute with reasons. At the present moment sellers are absolutely at the mercy of the buyers, most of whom are the jute mills. Therefore, it is urgently necessary that the gradings should be fixed, so that the people might know what they are selling.

**Mr. ABDUR RAHMAN SIDDIQI:** Mr. Speaker, Sir, before I say anything on the motion which has been placed before the House I would like to inform the leader of the "rump" section of the Praja

Party that the advice which savours of a threat, he has given to the hon'ble member (Mr. Abdul Bari) that he should express only such views as would meet with the approbation of his constituency and the people outside this hall will, I hope, not be accepted by the members of this House. We here have met together to see that no section of India's population is oppressed or tyrannised. We have got to come to conclusions we all consider, in whatever wisdom is given to us, as likely to serve the best interests of the people outside. I claim that the commercial community has been second to none in the fight for India's freedom. After the lucid and illuminating speech of the honourable member from the Indian Chamber of Commerce, I was surprised to find that there are people who still believe in the fixation of a minimum price for jute. If we can induce the Cabinet here to bring to the public till a huge amount, say about 5 crores, with which to purchase jute the cultivator cannot sell even at the minimum price then perhaps the scheme might succeed. Otherwise economic forces—you may laugh at them as much as you like—will compel sellers as well as buyers to break through the fixation of any price. Sir, I am afraid of the bell of the Secretary. I have got to be necessarily very sketchy in giving my arguments. The other point is with regard to the restriction of cultivation. Bengal may be able to restrict cultivation even by legislation, but, Sir, jute is also grown in Assam, in Bihar, and in Orissa. What are we going to do about this unless we enter into a treaty and make this restriction not only provincial but also inter-provincial? The problem is so vast that a very hasty discussion of it to-day will not lead us anywhere. It may be that the Hon'ble Minister is thinking of having a committee in which the trade, the cultivators, and, perhaps, professors of economics will help us to come to a decision. That decision will have to be in the best interests of the cultivator and in the best interests of the province, so that we may gather enough income out of this monopoly commodity to help education; to help sanitation, and to help the thousand and one problems that are facing us to-day, and for which we cannot find a solution, because at every turn we are told "There is no money; There is no money." Having said this much, Sir, I should like to draw the attention of the Hon'ble Minister as hastily as I can to the fact that agriculture alone will not bring to an end our troubles as a nation. (Cries of "Hear, hear" from the Congress and Coalition Benches.) We cannot talk of democracy and aristocracy, of capitalism and socialism; because, Sir, we are still a nation of slaves. Let us, first of all, stand erect on our own legs, and then we shall divide ourselves into all the claptrap divisions of modern politics. Let us control our own destinies. Then, perhaps, the unrealities we see and hear to-day may become realities.

The Hon'ble Minister has not told us, much about his department. He has only talked of schemes; schemes which he has placed before his colleague the Finance Minister which the Finance Minister, in his

turn, will place before his colleagues in the Cabinet. I wish he had told us something more, but, speaking here to-day, Sir, I should like to tell him that agriculture cannot stand by itself. It is being starved. Out of 3½ crores of rupees which it brings into the bill it gets only Rs. 11,74,000. The percentage is almost infinitesimal. This department, Sir, is the pivot on which the economic life of this province turns—

(The member, having reached the time-limit, resumed his seat.)

**The Hon'ble Nawab Bahadur K. HABIBULLAH, of Dacca:** Sir, I shall not have the time to reply to all the questions that have been raised by members of this House, but I would like to say at the beginning that the cut motion moved by Maulvi Abdul Hakim may be divided into three parts really, viz., (1) failure of Government jute propaganda scheme, (2) restriction of jute cultivation by legislation, and (3) fixing a fair minimum price. As far as I have been able to understand him, for he spoke in Bengali, he said that the jute restriction scheme of Government has been a failure for the reason that people have been travelling about on railways and getting fat allowances and doing nothing in regard to the jute restriction scheme at all. I would here refer to the fact that the present Speaker of this House, who was then in this Council, was also a party to that scheme. (There were interruptions from Congress members.) I request, Sir, that I may not be interrupted by the other side when I am speaking. In this connexion I would like to place before Maulvi Abdul Hakim certain figures which would show that what he has said is absolutely incorrect. In the first year of restriction in Bengal there were 430,000 acres under cultivation; in the second year 162,000 acres; and in the third year 234,000. The reduction in stock in the first year was about 2,200,000 <sup>of</sup> bales; in the second year it was 1,000,000; and for the third year the figure is not yet known. In this connexion I might say that on account of jute restriction prices have gone up: in 1933-34 the average price of jute was Rs. 4-3 per maund; in 1934-35 it was Rs. 4-12; in 1935-36 it was Rs. 5-15 and in 1936-37 it was Rs. 5-12. What I would like to say is this, the jute restriction scheme was not started by the present Government, but it is a legacy of the late Government, and to move a cut motion by way of censuring the present Government is I do not think fair or just. Secondly, regarding the restriction of jute cultivation by legislation, I would like to point out to honourable members here that in the last Bengal Legislative Council this question was taken up and was rejected by 48 to 18. Subsequently, again, there was another resolution of the same character in the same Council, and that, too, was also rejected. Being merely a layman I have only to go on the papers which are put up to me, and on the facts which had happened before.

Now, the most important question is the question of fixing a fair minimum price for jute. I shall say at the very outset that I have the fullest sympathy for the proposal of the mover, and I can assure him that I am prepared to accept it if it is practicable. (Laughter.) Instead of laughing, Sir, I hope my friends opposite will hear me. As I have said already I am a layman. I have had to go through a mass of papers and I am sorry, Sir, that I have not been able to fully digest them. The facts, as far as I have been able to gather from these papers, are that an inquiry committee on the problem of jute was formed by the last Bengal Legislative Council, and all the members—both the majority and the minority—said that it was an impracticable scheme. Further, the mass of papers and expert advice are against this proposal. You may very well say that it was so because the system of Government was different. The advice tendered by that committee may have been right or may have been wrong: I cannot pronounce judgment upon it, being a layman. Therefore, at present, as far as I have been able to gather the facts that have been placed before me show that the scheme is impracticable. Sir, I want to make the position clear. The House is well aware that there is a Central Jute Committee which is already going into this question, and I am prepared to write to them and inform them that the members of this House desire that as early as possible we should come to the question of fixing the minimum price of jute and ask for their advice if that is practicable because I think they are the best persons to be referred to. As some of my friends on the other side said jute is grown not only in Bengal but also in Bihar, Orissa, and other places and the Central Committee will be in a better position to say if it is possible to co-ordinate and make laws which will have equal effect in other provinces.

The position of Government is absolutely clear with regard to the issue raised by the discussion of the motion. I may say at once that nothing is dearer to my heart than the amelioration of the condition of the peasantry of Bengal whose servant I have always been and shall always be and for whose sake I am prepared to make any sacrifice. I am a zemindar by birth—

**Mr. SYED HASAN ALI CHOWDHURY:** I rise on a point of order, Sir. Is the Hon'ble Minister in order in saying that even as a zemindar he is prepared to make all sacrifices?

**Mr. SPEAKER:** I am sorry I cannot tolerate this sort of frivolous objection in the garb of a point of order. I know perfectly well and you realise it yourself that it is not a point of order at all.

**The Hon'ble Nawab Bahadur K. HABIBULLAH, of Dacca:**  
My friend who has already spoken—is he not a zemindar himself?

**Mr. SIBNATH BANERJEE:** Sir, we are laymen in this House and the Hon'ble Minister himself admits that he is a layman also. We do not sometimes understand Mr. Speaker what is a point of order and what is not. If it is not a point of order he should be told so and not snubbed.

**Mr. SPEAKER:** I think one who is so ignorant might remain silent and follow the leader of the opposition in this matter.

**Mr. SIBNATH BANERJEE:** My submission to you, Sir, is that if it is not a point of order—

**Mr. SPEAKER:** Mr. Sibnath Banerjee, every gentleman and lady in this House is endowed with commonsense to understand the scope of a simple point of order, and I do think that Mr. Hasan Ali and yourself have that amount of commonsense. I am not going to withdraw a word from what I said and I stand by it. Mr. Hasan Ali himself knows and realises that it is not a point of order.

**A voice:** Is there any necessity for introducing a zemindar or talukdar into this discussion?

**Mr. SPEAKER:** If I may frankly say so, in this House so much is being spoken of exploitation by one party or another, I think the Nawab Bahadur can very well claim to say what he is and what he is not.

**Mr. SYED HASAN ALI CHOWDHURY:** What I wanted to say is that the Hon'ble Minister said that he was prepared to make any sacrifice. I wanted to draw your attention to the fact that it was not relevant to the motion under discussion.

**Mr. SPEAKER:** Your personal explanation is as bad as your original point of order. You know perfectly well that as a matter of fact the Nawab Bahadur was nearly concluding his speech and you had not heard what he was going to submit in conclusion. I believe that everybody will admit that a preliminary statement can never be the criterion in deciding whether the point is admissible or not until the arguments develop or its conclusion has been heard.

**The Hon'ble Nawab Bahadur K. HABIBULLAH, of Dacca:**  
I am a zemindar by birth but a peasant at heart and I have always made

it my sacred duty to follow in the footsteps of my forefathers to give up all that I possess in order to improve the lot not merely of the peasant but the toiling millions of Bengal. I hope I can refer with some amount of legitimate pride to the vast amount of money which my forefathers spent generously for works of public utility and benefit calculated to improve the condition of all classes of the people in Bengal. It would be a calumny to suggest that I am false to the tradition of my family. I can give a solemn assurance here and now that if any scheme is prepared which will definitely tend to the improvement of the Projas I shall try my best to implement it as a Government policy to the last days of my life.

As for the fixation of a minimum price of jute, I can only say that I shall be ready to accept it as a part of my policy provided a workable scheme is put forward which Government can pursue without violating the laws of political economy and without upsetting other schemes which are also intended to benefit all classes of the community. At the present moment a large literature has accumulated over the question of the fixation of a minimum price of jute. I frankly confess that I have not had time to go through all this mass of literature. I believe also that the vast majority of the members of this House who are as new to the work of legislation as I am myself to the duties of my office, have not had time to read this literature and to form decided opinion on the various aspects of the question. I therefore earnestly request all my friends and all sections of the House to calmly consider the question and if they can put forward a workable scheme I promise on behalf of Government that I shall accept it and provide money to carry it into effect as early as practicable. The only condition I now impose is that it should be a workable scheme arrived at and decided on a consideration of all points of view and be absolutely workable in practice.

As regards the motion itself it seeks to pass a vote of censure on Government for something which has not been done. I can only remind the House that we are not responsible for the sins of omission or commission of the members of the past Government. As for ourselves we are ready to consider all schemes on their merits and once again I repeat that if on this question a workable scheme is put forward I shall be ready to accept it. On this assurance I hope the honourable mover will withdraw his motion.

**Mr. SIBNATH BANERJEE:** Sir, last time you told us that after the Hon'ble Nawab Bahadur spoke members on this side of the House would be given an opportunity to express their opinion. Is not that so?

**Mr. SPEAKER:** I am sorry you entirely misunderstood me. There cannot be a cross debate after the Hon'ble Minister has replied. It is only by courtesy that I always allow the Leader of the House and the Leader of the Opposition whenever they so desire to address the House. That is only as a matter of courtesy, and that is why I called upon Mr. Fazlul Huq to speak. If you think that the statement made by the Nawab Bahadur or for that matter by any Minister is unsatisfactory, you can record your opinion by calling a division and going into the lobby. I cannot force any Hon'ble Minister to give his reply in particular manner. If there is an important point which a member wants to raise on behalf of a party I always give him the latitude of speaking after the Hon'ble Minister has spoken. I will do so so long as it is raised on behalf of a party. But in this particular case the debate has to be closed within a given time, so I cannot allow every member to ask for information because the trend might be for the other 249 members to want more information. Then there will be no end to it.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, will you permit me to address the House in Bengali?

**Mr. SPEAKER:** I am afraid I have to go by the rules. I cannot allow you to do that.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I find that along with the restriction of jute there is going to be restriction of freedom of speech.

I would not have said anything but for certain remarks which have been made by one or two speakers and the challenge that has been thrown out to the members of this side by my friend Mr. Shamsuddin Ahmed. Before I come to Mr. Shamsuddin's threat to Mr. Abdul Bari, I will briefly summarise the reasons why Government cannot here and now declare that it is within practical politics to fix the minimum price of jute. In the first place it is admitted that there are different varieties of jute and I will show that you cannot fix the minimum price for the different varieties of jute any more than you can by legislation fix the minimum fee of lawyers. The second point is that jute is grown in other places and if you fix the minimum, say, at Rs. 10 per maund, other places will be at an advantage, and even if you put a restriction on the import or restrict the coming into Bengal of jute from outside, there is nothing to prevent the buyers from going to those advantageous places and purchasing jute at a lower price than that prevailing in Bengal. Thirdly, it must be remembered that jute is valuable on account of its low price which enables the purchasers to utilise it for certain work and merchandise for which highly priced articles are not suitable.

Now having said all this I was saying, that you cannot fix the minimum price of jute any more than you can fix the minimum fee for lawyers. I may mention an incident which happened to me in the course of my professional career about 30 years ago. I was then a junior pleader at Barisal and at that time the fees of pleaders went down so lamentably low that we the juniors could not command even a fee of Rs. 5 a day. We decided that a minimum fee should be fixed for a lawyer and that it should be Rs. 50 a day. We thought that the golden days of prosperity would dawn upon us from that day onward. Unfortunately we were soon disillusioned as we found senior pleaders beginning to accept briefs at Rs. 50 and nobody would come to us, the juniors. The result was that we had to remain satisfied with Rs. 5 a day, a fee that we were earning before. The same thing will happen to your jute. There are three kinds of jute and you cannot sell them at a fixed price which should not be less than Rs. 10 per maund. May I remind you of a Bengali proverb "where *muri* and *miseri* are of the same price." I will ask my friends whether it is not the same way that it is not possible to fix the same price for ghee and oil. If you legislate that either ghee or oil should be sold at less than 8 annas a seer, everybody who wanted to purchase oil will buy ghee and not the oil. A similar thing will happen if you indiscriminately fix the value of jute at Rs. 10 a maund for all kinds of jute.

Before I come to the other point, may I point out to this House that it was extremely injudicious, if nothing worse, on the part of the mover of the motion to refer to the Speaker as to what he did in the days when he was a member of Government? I am glad to be able to tell the House that the charge levelled against you, the Speaker, utterly groundless. The Speaker never in the course of his tour toured in saloons; he went on single tickets and personal tickets and I am authorised to tell the House that in the course of that tour extending over one and half months he was out of pocket to the tune of about Rs. 500.

I now come to one or two other points. My friend Mr. Shamsuddin Ahmed has held out a threat to Maulvi Abdul Bari that when he goes back to his own constituency he will feel the consequences.

**Mr. SHAMSUDDIN AHMED:** I did not hold out any threat to Maulvi Abdul Bari.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It is a threat and a direct threat and this is not the first time that threats are being held out to members on this side who support the Government. I wish to make it clear here and now and I wish to tell my friend Mr. Shamsuddin Ahmed that it was a clear threat that he held out to Maulvi Abdul

Bar that he would feel the consequences of his vote when he went back to his constituency.

Let me tell Mr. Shamsuddin Ahmed here and now that he is not the keeper of the conscience of the rural constituency of Bengal. We also know.....(A VOICE: Is that a threat?) It may be a threat but it is a counter-threat. We also know how to carry on propaganda and I know how attempts have been made during the past few days to hold us up to scorn and ridicule, members on this side of the House who supported the Government on that motion of Maulvi Abdul Hakim about reduction of rent. Now, Sir, if I may be permitted to return to that question, Maulvi Abdul Hakim suggested that there should be immediate reduction of rent and he advocated the cut motion. The supporters of Government on this side knew what the implication of that cut motion were and they opposed that motion. On that propaganda has been carried on in the country saying that there would have been reduction but for the fact that 112 members voted for the Government (shame, shame). It is false propaganda and I submit, Sir, I will never allow false propaganda—

(There was an uproar and several members rose in their seats on points of order.)

**MR. SPEAKER:** Order, Order. If any point of order is to be raised, I hope that there should not be a simultaneous outburst of shouts on all sides. I am quite prepared to hear all points of order but they should be in appropriate time.

**MR. SANTOSH KUMAR BASU:** On a point of order, Sir. Is it permissible for the Hon'ble Chief Minister of the Government of Bengal to reply to propaganda carried on against his party in his capacity of Chief Minister from his place in the House on a motion with regard to the fixation of minimum price of jute? Sir, I am demanding on behalf of this side of the House a ruling from the Chair on this most vital question and I hope, Sir, you will be pleased to give us a ruling which we are asking from you.

**MR. P. BANERJI:** Sir, do not give indulgence to the Chief Minister.

**MR. SPEAKER:** Mr. Banerji, I will ask you to withdraw your remark. You ought to know how to address the Speaker. This is a reflection against the Chair.

(A VOICE: What did he say?)

**MR. SPEAKER:** Mr. Banerji said that I was giving indulgence to the Chief Minister. I am sorry I will have the painful necessity of taking steps in the matter if you do it again, Mr. Banerji.

**Mr. P. BANERJI:** Sir, I withdraw my remark, but I wanted to submit to you that the Hon'ble Chief Minister is taking advantage of his position. Sir, you ruled that whenever the Hon'ble Chief Minister was speaking nobody should interfere, but what we feel to-day—

**Mr. SPEAKER:** It is quite alright, but you were making a reflection that I am giving indulgence to one speaker. I hope you know the import of the word "indulgence".

Mr. Basu, I am not very clear in my mind as to what you want from me. After all you realise that a point of order must necessarily be a point of law or practice or convention. I would like to know specifically what is your point of order.

**Mr. SANTOSH KUMAR BASU:** The point on which I am asking for your decision, Sir, is this: Is it open to the Chief Minister of the Government of Bengal from his place in this House as the Leader of the House to defend the position of his own party, that is the Coalition Party, and attack another party which carried on propaganda against the Coalition Party outside the House? That was the definite point which my hon'ble friend the Chief Minister has raised before you in his speech and he has left very painful impression on this side of the House by the manner in which he was delivering his speech. May I in this connection draw your attention to Rule 12 at page 5 of the Rules and Standing Orders:—

"This matter of every speech must be strictly relevant to the matter before the Council.

"A member while speaking must not refer to any matter of fact — or which a judicial decision is pending; and so on."

Now the question is Mr. Shamsuddin Ahmad might have uttered a threat to which no objection was taken at the time. If objection had been taken and a point of order had been raised, I think, Sir, you would be the first person to rule Mr. Shamsuddin Ahmad out of order if his speech was irrelevant. That does not mean that the Chief Minister when he spoke on a matter which was not relevant could not be called to order, and I submit, Sir, that is clearly out of order to utilise his position as Chief Minister.

**Mr. ABDUR RAHMAN SIDDIQI:** Mr. Bose's point of order may be further extended not only to the Chief Minister but to every member of the House.

**MR. SPEAKER:** I have got absolutely clear cut views on the question as to how a debate should be conducted in this House. I have already said more than once that it would be desirable if members of this House approached all questions from the point of view of a member of the House forgetting for the time being that they belong to this party or that party. I also hope that members will realize the gravity of the position which they are creating. Unfortunately, there have been occasions when members have brought in the names of parties in a manner which required a reply from other side. Mr. Shamsuddin Ahmad did say certain things about Mr. Abdul Bari's facing his constituency or something to that effect. I could not possibly rule him out because every member has freedom of speech to say to another member who does not agree with him that the day of reckoning is coming, and I think it was a perfectly relevant and legitimate statement on the part of Mr. Shamsuddin Ahmad. But if the day of reckoning is mentioned by Mr. Shamsuddin on one side and if on the other, the day of judgment is referred to by the Chief Minister I think that also could legitimately be done. But I hope it will be realised that anything which is in the nature of a party decision should not be given out, but when a member of a party or a particular party is attacked by another section of the House, I think it is only fair that I should give an opportunity to the other party to vindicate their position. But I must say that the reference to parties and reference to communities is coming to such a pass that even though it is not out of order, I would appeal to the members of the House to desist from it. As I say I cannot rule him out but I make this appeal in the interest of good debate in the House.

**MR. JOGESH CHANDRA GUPTA:** Sir, there is only one point on which we want your very clear ruling. While speaking on one cut motion regarding restriction of jute, is any member or the Leader of the House entitled to bring in what happened either in this House or outside with regard to another motion which took place about two or three days ago. But you have not said anything on that point.

**MR. SPEAKER:** Mr. Gupta, you are a lawyer yourself and I was a lawyer too and you surely remember the dictum of a very famous jurist that there is hardly anything which cannot be made relevant by an astute lawyer.

**MR. NIHARENDU DUTTA MAZUMDAR:** On a point of order, Sir. You gave a ruling that the Leader of the House and the Leader of the Opposition were not to be interrupted while speaking. Fortified by this ruling of yours, Sir, when the Leader of the House was speaking and had obviously the advantage of the last word, would not it be reasonable to expect that the House should get your protection in this that

when the Leader of the House speaks he speaks in a manner confining himself strictly to points of relevance and confining himself strictly to points which do not give any provocation.

**Mr. SPEAKER:** Order, order. I would say that if you want any ruling on the subject, it is this: that there should be no interruption on the part of anybody to anybody, but, as I have said, there are interruptions which are healthy and it is with a view to provide facilities for that and with a view that the debate may not be dull and absolutely death-like, that I have ruled that only so far as these two gentlemen are concerned, they should be given uninterrupted hearing. As regards how they should conduct themselves, it is not for me to say. It is a question of fact. Unless it is a question of a point of order. I cannot say how either the Leader of the House or the Leader of the Opposition should conduct their debate. They are responsible men and on them lies the responsibility of discharging their duties in their respective places and I think I can legitimately rely upon their sense of responsibility. But if you want my ruling definitely, I should say that there should be no interruptions from anybody.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I will now come to the cut motion itself, as I find that acrimonious discussions are going to arise. The motion itself, as has been pointed out by the Minister in charge, can be divided into three parts: failure of Government regarding jute propaganda scheme, the restriction of jute cultivation by legislation and fixing a fair minimum price. As regards the first two points, Government are committed to a certain policy as regards propaganda for jute restriction and the present Government proposes to continue that policy. As regards the fixing of a fair minimum price, we have not been able to discover any practical means of doing so but if any method is suggested which is practicable and which can be adopted without upsetting all economic laws, Government would only be too glad to accept that suggestion and fix a minimum price for jute. In these circumstances, Sir, it will appear clear that the policy which Government proposes to follow is in no way contrary to what the mover of the motion wants to impress upon the members of this House. With these few words I would like, if the motion is pressed to a division, to oppose this motion.

**Mr. SPEAKER:** I can quite understand the heat which tempered the debate—I am just informed that the cooling plant has failed. (Laughter.)

The motion of Maulvi Abdul Hakim was then put and a Division claimed.

While the Division bell was ringing Mr. Surendra Mohan Maitra drew the attention of the Hon'ble Speaker to the conduct of Mr. Sahabuddin who was standing at the south door of the Chamber.

The Speaker then asked Mr. Sahabuddin not to stand in the way of anybody.

A Division was then taken with the following result:—

#### AYES.

Abdul Hakim, Maulvi.  
Abdul Jabbar Palwan, Mr. Md.  
Abdul Majid, Maulvi.  
Abdul Wahed, Maulvi.  
Abu Hossain Sarkar, Maulvi.  
Abul Fazi, Mr. Md.  
Aftab Ali, Mr.  
Asimuddin Ahmed, Mr.  
Banerji, Mr. P.  
Banerjee, Mr. Pramatha Nath.  
Banerjee, Mr. Sib Nath.  
Bannerjee, Mr. Manoranjan.  
Basu, Mr. Santosh Kumar.  
Bhawmik, Dr. Gobinda Chandra.  
Biswas, Mr. Rasik Lal.  
Biswas, Mr. Surendra Nath.  
Bose, Mr. Sarat Chandra.  
Chakrabarty, Babu Narendra Narayan.  
Chakrabarty, Mr. Jatindra Nath.  
Chattopadhyay, Babu Haripada.  
Das, Babu Mahim Chandra.  
Das, Babu Radhanath.  
Das Gupta, Babu Khagendra Nath.  
Das Gupta, Dr. J. M.  
Das Gupta, Mr. Narendra Nath.  
Datta, Mr. Dharendra Nath.  
Dolui, Mr. Harendra.  
Dutta, Mr. Sukumar.  
Dutta Gupta, Miss Mira.  
Dutta Mazumdar, Mr. Niharendu.  
Emdadul Haque, Kazi.  
Fazlur Rahman Muktear, Mr.  
Ghose, Mr. Atul Krishna.  
Giasuddin Ahmed, Mr.  
Gupta, Mr. Jogesh Chandra.  
Gupta, Mr. J. N.  
Hassan Ali Chowdhury, Mr. Syed.

Himatsingka, Mr. Prabhudayal.  
Jalaluddin Hashemy, Mr. Syed.  
Jonab Ali Majumdar, Maulvi.  
Khan, Mr. Debendra Lal.  
Kumar, Mr. Atul Chandra.  
Kundu, Mr. Nishitha Nath.  
Maiti, Mr. Nikupada Bahari.  
Maitra, Mr. Surendra Mohan.  
Majumdar, Mrs. Hemaprova.  
Mazumdar, Mr. Surendra Nath.  
Mal, Mr. Iswar Chandra.  
Mandal, Mr. Gogendra Nath.  
Maniruzzaman Islamabadi, Maulana Md.  
Maqbul Hossain, Mr.  
Masud Ali Khan Panni, Maulvi.  
Mukerji, Mr. Dharendra Narayan.  
Mukherjee, Mr. B.  
Mukherjee, Dr. Sharat Chandra.  
Mullick, Sriji Ashutosh.  
Nasker, Mr. Hem Chandra.  
Pramanik, Mr. Tarinicharan.  
Ramizuddin Ahmed, Mr.  
Roy, Mr. Charu Chandra.  
Roy, Mr. Kamal Krishna.  
Roy, Mr. Kiran Sankar.  
Roy, Mr. Kishori Pati.  
Roy, Mr. Manmatha Nath.  
Sanyal, Dr. Nalinaksha.  
Sanyal, Mr. Sasank Sekhar.  
Sen, Babu Nagendra Nath.  
Shahedali, Mr.  
Shamsuddin Ahmed, Mr. M.  
Sinha, Sriji Manindra Bhushan.  
Sur, Mr. Narendra Kumar.  
Thakur, Mr. Pramatha Ranjan.  
Zaman, Mr. As M. A.

#### NOES.

Abdul Bari, Maulvi.  
Abdul Haiz Mia, Mr.  
Abdul Hakeem, Mr.  
Abul Hakim Vikrampur, Mr. Md.—  
Abdul Hamid, Mr. A. M.  
Abdul Jabbar, Maulvi.  
Abdul Kader, Mr.  
Abdul Karim, Mr.  
Abdul Latif Biswas, Maulvi.  
Abdul Majid, Mr. Syed.  
Abdul Wahab Khan, Mr.  
Abdulla-ai Mahmood, Mr.  
Abdur Rahman, Khan Bahadur A. F. y.

Abdur Rahman Siddiqi, Mr.  
Abdur Rasheed, Maulvi Md.  
Abdur Raul, Khan Sahib Maulvi S.  
Abdur Raul, Mr. Shah.  
Abdus Shahood, Maulvi Md.  
Abdur Reza Chowdhury, Khan Bahadur.  
Abul Hashim, Maulvi.  
Abul Hossain, Mr. Ahmed.  
Abul Quasem, Maulvi.  
Asharyn Choudhury, Maharaja Sashi Kanta of  
Muktagesh, Mymensingh.  
Aftab Ali, Mr.  
Aftab Hossain Jondar, Maulvi.

Ahmed, Ali, Khan Sahib Maulana Enayetpuri.

Ahmed Ali Mridha, Maulvi.

Ahmed Hossain, Mr.

Alfazuddin Ahmed, Khan Bahadur.

Amir Ali, Md, Mia.

Ashrafali, Mr. M.

Aulad Hossain Khan, Maulvi.

Azhar Ali, Maulvi.

Bannerman, Mr. H. C.

Barat Ali, Mr. Md.

Barma, Babu Premhari.

Barma, Mr. Puspajit.

Barman, Babu Upendra Nath.

Bliswas, Babu Lakshmi Narayan.

Brasher, Mr. F. C.

Campbell, Sir George.

Clark, Mr. I. A.

Cooper, Mr. C. G.

Crosfield, Mr. L. M.

Das, Mr. Anukul Chandra.

Das, Mr. Kirit Bhusan.

Das, Mr. Monmohan.

Das, Babu Deendra Nath.

Edgar, Mr. Upendranath.

Fahad Raza Chowdhury, Mr. I.

Farhat Bano Khanam, Begum.

Fazlul Haq, the Hon'ble Mr. A. K.

Fazlul Quadir, Khan Bahadur Maulvi.

Fazlur Rahman, Mr.

Ferguson, Mr. R. H.

Gammeter, Mr. E. O.

Gomes, Mr. S. A.

Gurung, Mr. Damber Singh.

Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.

Hafizuddin Chowdhury, Maulvi.

Hamiuddin Chowdhury, Maulvi.

Hamilton, Mr. K. A.

Hasanuzzaman, Maulvi Md.

Hashem Ali Khan, Khan Bahadur.

Hasina Murshed, Mrs.

Hatemally Jamadar, Khan Sahib.

Haywood, Mr. Rogers.

Hendry, Mr. David.

Ispahani, Mr. M. A. H.

Jasimuddin Ahmed, Mr.

Kabiruddin Khan, Khan Sahib.

Khalitan, Mr. Dobi Prosad.

MacLauchlan, Mr. G. S.

Maizuddin Ahmed, Dr.

Maizuddin Chowdhury, Maulvi.

Mahtab, Maharajkumar Uday Chand.

Mandal, Mr. Amrita Lal.

Mandal, Mr. Birat Chandra.

Mandal, Mr. Jagat Chandra.

Miles, Mr. C. W.

Millar, Mr. C.

Moslem Ali Mollah, Maulvi.

Mozammel Haq, Maulvi Md.

Muhammad Afzal, Khan Sahib Maulvi Syed.

Muhammad Ali, Khan Bahadur.

Muhammad Ishaque, Maulvi.

Muhammad Siddique, Dr. Syed.

Muhammad Solaiman, Mr.

Mullick, the Hon'ble Mr. Mukunda Behary.

Mullick, Mr. Pulin Behary.

Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.

Mustagawal Haque, Mr. Syed.

Mustafa Ali Dewan Sahib, Mr.

Nardy, the Hon'ble Maharaja S. Is Chandra, of Kasimbazar.

Nazarullah, Nawabzada K.

Nausher Ali, the Hon'ble Maulvi Syed.

Naziruddin, the Hon'ble Khwaja Sir.

Nimmo, Mr. J. B.

Patton, Mr. W. C.

Rahman, Khan Bahadur A. M. L.

Raikat, the Hon'ble Mr. Prasanna Deb.

Rajibuddin Tarafdar, Maulvi.

Ray Choudhury, Mr. Birendra Kishore.

Roy, Babu Patiram.

Roy the Hon'ble Sir Bijoy Prasad Singh.

Roy, Mr. Dhananjoy.

Roy, Rai Bahadur Kshirod Chandra.

Sadaruddin Ahmed, Mr.

Safaruddin Ahmed, Haji.

Salim, Mr. S. A.

Sarkar, the Hon'ble Mr. Nalini Ranjan.

Sassoon, Mr. R. M.

Sen, Rai Bahadur Jogesh Chandra.

Serajul Islam, Mr.

Shahabuddin, Mr. Khwaja.

Singha, Babu Kshetra Nath.

Sirdar, Babu Littu Munda.

Steven, Mr. J. W. R.

Suhrawardy, the Hon'ble Mr. M. S.

Tapuriah, Rai Bahadur Moongta Lal.

Tofail Ahmed Choudhury, Maulvi Haji.

Walior Rahman, Maulvi.

West, Mrs. Ellen.

Wordsworth, Mr. W. G.

**Mr. SPEAKER:** Before I announce the result of the Division I would like to consult the different sections of the House and the Leader of the House as to whether in view of the fact that the cooling plant has failed it would not be preferable to adjourn the House to-day. We can add one hour to to-morrow's sitting. However, I would like to know the views of all the groups.

**Mr. SARAT CHANDRA BOSE:** We have no objection, Sir.

**Mr. G. MILLER:** Sir, we have no objection.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, the general feeling is that we should adjourn now.

**Mr. SPEAKER:** Would it be convenient to all if we meet about an hour earlier to-morrow, say at 3 p.m., or if you like we may begin at 3-45 as usual but sit up half an hour later to-morrow as also the next day.

**Mr. C. MILLAR:** Sir, as a matter of compromise I would suggest that we meet at 3-30 to-morrow.

There was general assent.

The Ayes being 73 and the Noes 124, the motion was lost.

The main demand that the sum of Rs. 15,49,000 be granted for expenditure under the head "40—Agriculture and 41—Veterinary" was put and agreed to.

#### **Adjournment.**

The House was then adjourned till 3-30 p.m. on Thursday, the 2nd September, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of the Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday,  
the 2nd September, 1937, at 3-30 p.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.)  
in the Chair, eleven Hon'ble Ministers and 214 Members.

**STARRED QUESTIONS**

(to which oral answers were given)

**Amount spent by the Bengal Government Press on account of  
composing materials and stationeries.**

\*91. **MR. BIRAT CHANDRA MANDAL:** (a) Will the Hon'ble Minister in charge of the Finance Department be pleased to lay on the table a statement showing the amount spent by the Bengal Government Press separately under each head, as far as practicable, year by year, from 1926 to 1936 on account of—

(i) composing materials like—

- (1) spirit,
- (2) petrol,
- (3) rope,
- (4) turpentine,
- (5) brush,
- (6) molasses,
- (7) flour,
- (8) coal,
- (9) composing racks,
- (10) composing cases,
- (11) shooting bars,
- (12) brass rules, and
- (13) Lino and Mono metals; and

(ii) stationeries like—

- (1) blotting paper,
- (2) paper, and
- (3) printing ink?

(b) Will the Hon'ble Minister be pleased to state whether tenders are invited for the supply of the above requirements?

(c) If the answer to (b) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table a statement showing year by year from 1926 to 1936—

- (i) the number of tenders received in connection with the supply of each of the abovenamed articles; and
- (ii) the names of those whose tenders were accepted?

**MINISTER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. Nalinj Ranjan Sarker):** (a), (i) and (ii) A statement is laid on the Library table. It has not been possible to collect figures relating to the period prior to 1932-33.

(b) I understand that only petrol, flour and printing ink (black jobbing) are contract articles for which tenders are called for.

Blotting paper and paper are supplied on indent by the Central Stationery Office. Other articles are purchased locally in small quantities as required.

(c) (i) and (ii) A statement relating to the last five years is laid on the Library table.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state the location of the Ganges Printing Works which has got the order of printing ink?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I do not know, Sir.

**Dr. NALINAKSHA SANYAL:** Why was this particular firm given preference when such reputed firms as the Bengal Chemical and Pharmaceutical Works and others had given tenders?

**The Hon'ble Mr. NALINI RANJAN SARKER:** I do not know. but I shall enquire.

**SHORT NOTICE QUESTIONS AND ANSWERS.**

**\*91A. Mr. SYED HASSAN ALI CHOWDHURY:** (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact that a draft of the Bengal Tenancy (Amendment) Bill, 1937, has been printed at the Bengal Government Press and circulated to some members of the Assembly?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state—

(i) the names of such members; and

(ii) the reason for not circulating it to others?

(c) Is it a fact that provision has been made in the draft Bill—

(i) for fixing the landlord's fee (Nazar Salami) at twice the amount of rent of the transferred lands; and

(ii) for payment of a fee for subdivision of a holding at twice the amount of rent?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):** (a) Yes. The draft which contained certain proposals for discussion, was printed at my expense at the Bengal Government Press and circulated to some members of the Assembly.

(b) (i) and (ii). Copies were circulated only to members who, in my opinion, were taking an interest in the matter. No list of members to whom copies were sent, has been kept.

(c) A copy of the draft referred to is laid on the Library table.

**Dr. NALINAKSHA SANYAL:** What method did the Hon'ble Minister adopt to find out what interest members were taking in the matter?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** It was a purely personal matter of mine and it is not necessary for me to enquire as to who else has been taking interest in it.

**Dr. NALINAKSHA SANYAL:** Is it permissible for the Government Printing Press to accept private orders?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Yes.

**Maulvi ABDUL BARI:** Has the attention of the Hon'ble Minister been drawn to the statement issued by certain members of the Legislature stating that under pressure from them the original draft has been changed by him?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** There was no pressure whatsoever.

**Mr. SARAT CHANDRA BOSE:** Will the Hon'ble Minister be pleased to state whether any copies of the draft have been circulated by him amongst Congress members of this House?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** No, Sir.

**Maulvi ABDUL BARI:** Is it a fact that as a result of discussion with members of the Coalition Party the Hon'ble Minister came to draft the present Bill, as it is?

**Mr. SPEAKER:** Order, order. It is not open to any member to bring in here any party matter or anything which happened at a party meeting. I definitely rule it out of order.

**Mr. KIRAN SANKAR RAY:** Is it a fact that the Bill was circulated only amongst members of the Coalition group?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** No, Sir.

#### **Settlement Camp at Charkai, Dinajpur.**

**\*91B. Maulvi MAFIZUDDIN CHOWDHURY:** (a) Is the Hon'ble Minister in charge of the Revenue Department aware:—

- (i) that a Settlement Camp has been opened at Charkai in the district of Dinajpur for the disposal of cases under section 105, Bengal Tenancy Act;
- (ii) that Charkai is not at all a suitable place inasmuch as legal help can only be had by raiyats at an enormous cost;
- (iii) that the tenants are still on the grip of hard economic distress and have not been able to balance the cost of production and the price of the produce?

(b) Will the Hon'ble Minister be pleased to state whether Government consider the absolute necessity of issuing an emergent notification immediately for staying all the proceedings now pending in the several Settlement Camps in the district of Dinajpur and stopping the institution of further cases until the amendment of the Bengal Tenancy Act which is to be brought very early has been finally disposed of by the Bengal Legislature?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** (a)(i) Yes.

(ii) Charkai was selected on account of its being an important trade centre and centrally situated. Legal help can be obtained there, without any unusual expense. Mufassil Camps of this nature have always been welcomed by the tenants.

(iii) No. There is no general distress in this area and the price of paddy has risen to a considerable extent during the last year or two.

(b) Under the existing law no such notification can issue.

### UNSTARRED QUESTIONS

(to which answers were laid on the table)

#### Calcutta Fire Brigade.

**65. Mr. BIRAT CHANDRA MANDAL:** (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(i) the name of the controlling authority of the Calcutta Fire Brigade;

(ii) the total annual cost incurred for its maintenance;

(iii) the names of the authorities that contribute towards the maintenance of the Brigade with the percentages of their contribution towards its upkeep;

(iv) the number of officers in the Brigade with their respective names, designations, pay and qualifications; and

(v) whether there is any Indian officer in the superior services of the Brigade?

(b) If the answer to (v) is in the negative, are the Government prepared to consider the question of recruiting Indians, specially of this province, in the superior services of the Brigade?

**MINISTER in charge of PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Maulvi Syed Nausher Ali):** (a) (i) Commissioner of Police, Calcutta.

(ii) Rs. 4,67,335.

(iii) Calcutta Corporation, Howrah Municipality and Garden Reach Municipality at the rate of 83·5, 14 and 2·5 per cent. respectively.

(iv) A statement is laid on the table.

(v) No.

(b) The matter is under consideration.

*Statement referred to in the answer to clause (a) (iv) of unstarred question No. 65.*

Name.	Designation.	Pay.	Qualification.
		Rs.	
A. Frederick	1 Chief Officer	800—1,000	M. I. F. E.
C. D. Meyers	1 Second Chief Officer.	450—600	By promotion.
F. A. Tucker	1 Chief Engineer	375—450	A. M. I. F. E. and by promotion.
S. Doran	1 Warehouse Inspector.	300—400	By promotion.
A. G. Collins (on leave)	Station Officer	300—400	Ditto.
W. Fraser	Ditto	300—400	Ditto.
J. Cocker	Ditto	300—400	Ditto.
T. Fulton	Ditto	300—400	Ditto.
W. Meyers	Ditto	300—400	Ditto.
A. Lashmar (Offg.)	Ditto	300—400	Ditto.
H. J. Abbott	Engineer	250—300	Ditto.
G. Milne	Ditto	250—300	Ditto.
P. Holden	Ditto	250—300	Ditto.
H. J. Maseyk	Ditto	250—300	Ditto.
C. Gogerly	Ditto	250—300	Ditto.
A. V. Murrery	Ditto	250—300	Ditto.
E. M. Bentley	Ditto	250—300	Ditto.
R. Parker (on leave)	Ditto	250—300	Ditto.
P. Bampton (Offg.)	Ditto	250—300	Ditto.

Name.	Designation.	Pay.	Qualification.
		Rs.	
P. D. Roach	European Fireman	200—250	Newly recruited. Formerly these men were recruited from the Army having a second class Army Certificate, but when there was a dearth of candidates from the Army, Anglo-Indians or Domiciled Europeans were engaged having similar qualifications as the Army men. These men have got to possess a good physique and preference is given to those who have knowledge in motor driving.
A. H. Peck	Ditto	200—250	
C. Kingham	Ditto	200—250	
L. Brain	Ditto	200—250	
L. N. Ingram (temporary).	Ditto	200—250	
R. Pedder (temporary).	Ditto	200—250	
T. D. Morgan (temporary).	Ditto	200—250	

**Bengal Tobacco (Sales Licensing) Act, 1935.**

**66. Maulvi MAFIZUDDIN CHOUDHURY:** Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state whether Government intend introducing any legislation for repealing the Bengal Tobacco (Sales Licensing) Act, 1935 (XIV of 1935)?

**MINISTER in charge of FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikat):** Nothing is decided yet.

**A member:** Is the Hon'ble Minister aware that there is discontent throughout Bengal for this tax?

**The Hon'ble Mr. PRASANNA DEB RAIKAT:** No, Sir.

**Khan Bahadur MOHAMMED ALI:** Will the Government consider the desirability of repealing the Act?

**The Hon'ble Mr. PRASANNA DEB RAIKAT:** No, Sir.

**Mr. M. SHAMSUDDIN AHMED:** What are the sources of his information that there is no discontent in Bengal?

**The Hon'ble Mr. PRASANNA DEB RAIKAT:** I have no official information.

### Conduct of Proceedings in the House.

**Mr. SARAT CHANDRA BOSE:** Mr. Speaker, Sir, before you take up the next item of business on the paper, may I have your permission to say a few words regarding the incidents which happened yesterday evening? Yesterday evening I was looking out for an opportunity to pour oil over troubled waters but the opportunity did not come to me as the House agreed to adjourn for the day. The observations I desire to make, I make with a full sense of responsibility. I entirely agree that it is up to you to maintain order in this House and at the same time to maintain the honour and dignity of its members. I feel also I do not know if the Leader of the House will agree with me—that of all the Members in this House the Leader of the House and the Leader of the opposition should come to your assistance in maintaining order and dignity in this Chamber. I would appeal to the Leader of the House to consider whether the language of his remarks yesterday and the tone and manner in which he made them were consonant with parliamentary decorum. I am making this appeal to him in order that in his cooler moments he may have the opportunity of considering whether of all persons in this House it is not the duty of the Leader of the House and the duty of the Leader of the Opposition to say nothing which can ruffle the temper of the members. I say on the highest authority—and my authority is, Sir Erskine May that the use of temperate and decorous language is never more desirable than when a member is replying to his opponents in debate. The imputation of bad motives or motives different from those acknowledged, misrepresenting the language of another or accusing him in his turn of misrepresentation, charging him with falsehood or deceit or contemptuous or insulting language of any kind, all these are unparliamentary and call for prompt interference. I should not like, though I am occupying the Opposition Benches, a situation of this kind to occur that the Speaker has to interfere as to what the Leader of the House or the Leader of the Opposition has to say or does say in the House. I do appeal to the Leader of the House to consider whether the language he employed towards Mr. Shams-uddin Ahmad was consistent with his dignity as Leader of the House and was consistent with parliamentary decorum.

The next observation I desire to make is an observation which arises out of a point which I took up at an early sitting of the House, viz., the practice in the old Council which, speaking for myself, I do not want to be observed in this House,—the practice of reading from written manuscripts. It is just as well that I did not have an opportunity of saying anything yesterday, because to-day I have had an

opportunity of considering the remarks of the Hon'ble Minister for Agriculture. I know, Sir, there are advantages in reading from written manuscripts; I know there are advantages in getting others to think for you and write for you, but there are disadvantages too and the disadvantages are that you do not go into the spirit or the reality of the debate. For instance, I may remind the Minister for Agriculture that there was no reference yesterday to his belonging to a zamindar family or any calumny so far as he himself and his predecessors were concerned. But I find that in his reply he protested against something which was never uttered, he protested against calumny against himself and his predecessors in his written composition, though in fact there was none. I desire to be very careful in my remarks. I do not intend in any way, either directly or remotely, to say anything which may be a challenge to any of the rulings you gave from your Chair yesterday. I only desire to point out to the House through you, Sir, that if you proceed to describe yourself as zamindar and protest against something that was never uttered, you give occasion for the remarks of the other side of the House that you are drifting into irrelevancy. This was the position yesterday and I have been assured by my Hon'ble friend, Mr. Hassan Ali, that this was the spirit in which he raised his objection regarding the relevancy or otherwise of the Hon'ble Minister's remark as to his being a zamindar or his being a peasant at heart.

The third observation I desire to make is this: there are some of us here who are not new to the business of the Assembly, who were members of the old Legislative Council. But may I, Sir, in all humility, remind you that there are others in this House who are new to this business? For them sometimes, as you will no doubt agree, it is somewhat difficult to distinguish between a point of order, a point of relevancy or any other point; and it has given—I say so deliberately—I do not say it has given rise to offence—it has given rise to a certain amount of sorrow that certain remarks of yours were indeed too severe. For instance, I do not know, Sir, if you remember that in answer to a point which Mr. Hassan Ali raised you said that it was a frivolous point of order—an expression which you yourself had previously discountenanced in this House. On that, my submission is that a point of order may be a sound point of order or a frivolous point of order. But if it is a point of order, whether sound or frivolous, a ruling has to be given. It is only when it is not a point of order that the answer of the Speaker is that it is not a point of order and that it does not arise. There is also a feeling in this House—it is not necessary for me to go into the question as to whether that feeling is justified or not—that some of the members of this House, —particularly those sitting on this side of the House—were treated more or less in the fashion that schoolboys are sometimes treated. I know, Sir, without your saying so, and I believe it was never your desire

to give offence or to give rise to a feeling that members of this House have been treated as school-boys. But I thought it was my duty as Leader of the Opposition to bring this matter to your notice and also to the notice of the Leader of the House in order that the proceedings of this House may be carried on with as much decorum and dignity as possible, so that we may set an example to other Houses of this kind in the rest of India in the matter of decorum and dignity. Sir, I was a Member—whether fortunately or not I do not know—I was a Member of the old Legislature, and fortunately or unfortunately I am a member of this Assembly; but I venture to think, Sir,—and you will correct me if I am wrong—that the position which this House has given me or which the constituencies all over Bengal have given me has certainly made me very careful about the language I have used or should use during the debates. I do not think I have transgressed parliamentary dignity or decorum in any way. I would therefore appeal to the Leader of the House to consider whether a person in his position can employ the language which an ordinary member may employ in the heat of debate, whether it is right and proper for him to bring in matters relating to propaganda outside the House,—whether true or not, it does not matter—into the debates in this House, whether it is right for him to bring in matters which happened several days ago and which had nothing to do with the matters of yesterday's debate.

I am sure, Sir, knowing as I do the Chief Minister as a man, he will respond to my appeal in the spirit in which the appeal is made to him.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I will try to be very brief, because I feel that a lengthy statement on my part may lead me to use language which may embitter feelings, if any feelings have been embittered by the proceedings of last night, and may also make it difficult for the Leader of the Opposition and me to co-operate in bringing into the debate of this House that spirit of friendly co-operation which ought to mark the proceedings of this Assembly. I confess, Sir, I was not ready for the remarks which have just been made by the Leader of the Opposition. But I may tell him at once that I sincerely appreciate the spirit in which these remarks have been made and I reciprocate the feelings of friendliness and I also extend to him the hand of co-operation for the future in preventing any incident of any kind which may lead to unpleasant remarks being made by one Member against another or in the course of debate which take place in this House.

Sir, as regards one or two remarks of my friend I wish to tell him that my view of parliamentary debates teaches me that it is open to us in the course of the debate and by way of illustration to refer to things which may have happened outside, but which has a reference to proceedings which have already taken place in this House. It is possible, Sir,

that my view in this matter is wrong and if that is also the view which you, Sir, take, as Speaker, I shall certainly not merely abide by your decision but, I would ask all my friends in this House to adhere strictly to the rulings which you are prepared to give.

As regards the proceedings of this House, I fully realise that the position which I fortunately hold as the Leader of the House should always be present before me in the course of the debate and if in the heat of the moment I may have been led to use language which may have hurt the feelings of my friends I can only say that I am sincerely sorry, and I shall try to work in future in harmony and co-operation with every one, whether they are my supporters or whether they are Members of the Opposition.

There is one thing which I have been feeling and to which I cannot but give expression at the present moment and it is this: There seems to be a very unfortunate feeling of separation between the supporters of Government and the Members of the Opposition. It seems to me that unless this feeling is checked a wide gulf may separate us and render it impossible for the Members of this House to discharge their duties properly and legitimately towards their constituencies. After all it is an accident that there are some persons who are occupying the Treasury Benches supported by some who agreed with the policy which they have undertaken and it is only an accident that some Members of the House are in the Opposition. So far as our personal feelings are concerned, they ought to be of absolutely brotherly regard, and I agree with the Leader of the Opposition that it is extremely unfair and improper to attribute motives of any kind and even where the circumstances might show that room for suspicion is there it is always a part of good breeding not to let oneself to utter any words which might imply that any Member of this House is actuated by motives other than honourable.

Then, Sir, there is only one part of the statement of my friend, the Leader of the Opposition, to which I have listened with some regret. He has referred to speeches written by others. I would only like to point out to him that merely because a speech is read out there is hardly any reason to suspect that it has been written by others. And even if a speech is written by somebody else for me it becomes my speech so long as it embodies the sentiments which I want to express. Sometimes it so happens that I may have ideas, but I cannot put them forward in the proper language and I may seek assistance of a friend to put them in the proper form. After all English is not our mother tongue and we may not have a complete mastery over words and it is a great pity that the rules of debate require that we should speak in English ordinarily unless we are not sufficiently acquainted with the English language. We should be given the option to express ourselves in our mother tongue unless of course we desire to indulge in the luxury of talking in

a foreign tongue. Now, Sir, I am looking forward to much happier days ahead as a result of the Conference which is soon going to be held regarding the repatriation of the Andamans prisoners. When we meet in Conference let us hope that we will be able to meet in perfect friendliness and with the sole object of serving a cause which has now turned out to be absolutely national and with that end in view I extremely welcome the remarks that have been made by my friend the Leader of the Opposition, and I hope, Sir, the incident of last night would now be forgotten.

**MR. SARAT CHANDRA BOSE:** May I say one word to clear one small misunderstanding in the mind of the Leader of the House. I entirely agree that we have got to do business as members of the Legislature efficiently. It is necessary for us at some time or other—if I may use a colloquial expression—to pick other people's brain, but what I wanted to point out and I did point out was the disadvantage of a written composition. You may anticipate that an attack will be launched against you because you happen to be a zamindar; but even if no such attack is made, the written reply is still there in the written composition. I never heard any language or calumny against the Minister himself or his illustrious predecessors.

As regards the spirit of friendliness I may assure the Leader of the House that though we may fight our battles inside this Council Chamber, he and I being Members of the Bar for several years, that fight will never be carried on in bitterness outside the doors of this Chamber.

**MR. SPEAKER:** I must say at the outset that nothing to me is more pleasant than this frank expression of views of friendliness between the Leader of the Opposition and the Leader of the House. I say that as much from a little selfish point of view, because that makes my task much easier than what it otherwise would be. It is by a peculiar coincidence that this very morning I was reading the very passages from May to which Mr. Bose has referred. I entirely associate myself with those remarks. I may also say that the manner in which the Speaker can discharge his duties to a great extent depend upon the members of the House. Members may go in a manner that may make the task of the Speaker extremely difficult, and in all such occasions I have given them more than the usual indulgence that I probably ought to.

In regard to the point of order raised by Mr. Hassan Ali yesterday I say again with a full sense of responsibility that there was no occasion for his suddenly rising up and interrupting the Nawab Bahadur of Dacca in the midst of his speech. Mr. Bose of all persons will agree

with me that it was merely a casual preliminary remark on the part of the Nawab Bahadur that though he was a zamindar he was really a peasant at heart. I do not think it can be said to be irrelevant by any stretch of imagination. I quite agree with Mr. Bose that a point of order when raised has to be decided, but I believe Mr. Bose knows the famous axiom of Euclid that a point is that which has a position but no magnitude or dimension. That may be sometimes with a point of order. It is very difficult to give a ruling on a point of order when it comes to the vanishing point. What I meant yesterday was that it was not a point of order. I admit that a Member is fully entitled, as I have already said, to raise a point of order and to enquire whether a speech is relevant or not but what I said yesterday was that there was in this case no occasion for a point of order. Nobody deplores more than myself the incidents of yesterday. And I believe every one of us feels that one should not have done things which one had to do in the circumstances of last night. I had no other alternative but to deal firmly with the interruptions that had taken place last night. Mr. Bose will agree with me on this point—and he has referred to the very same matter from May which I was reading this morning—that interruptions are not permitted in such cases. But as I have said already interruptions may be allowed sometimes or even overlooked so that the debate may not be dull and dreary, provided that these interruptions are not in the nature of constant running comments. I hope Mr. Bose will not misunderstand me when I say that if interruptions are made day in and day out and member after member rises with a view to raising a point of order which is not obviously a point of order, and when I find that the time at the disposal of the House is so short that every one of us should try to do his best to finish our business, I have in the circumstances no other alternative than to deal firmly with the situation.

And there is one other matter which we should remember. This is the early beginning of the Parliamentary form of Government and nobody realises more than myself that there are members in this House who do not know yet the Parliamentary practice and procedure, and for them what I suggest is that it is always desirable that important points of order should be raised by the leaders of the different groups and it would be quite well if the followers follow the leaders before they themselves take the responsibility of raising any important point. I do not suggest by this that I want to restrict the liberty of members. I think all will learn by waiting and following their leaders. I believe Mr. Bose will agree with me when I say that he himself has raised very few points of order even though he has been one of the front benchers in the opposition present almost throughout. I have always received cordial help from him, as he has, to my knowledge, sometimes seen to it that members from his side do not rise on points of orders unnecessarily and he has always tried to resist that attempt. So far as

some of my friends however are concerned, I am sometimes helpless. When I find that a point of order is such that it should not have been raised, it is very difficult for me but to deal with it firmly.

As regards Mr. Bose's remarks that I have treated some members in the fashion of school boys, I will say that it was far from my intention to deal with them as school boys. I do think that none of you are school boys, yet I feel it would be profitable if every one becomes a schoolboy for some time or other, because I believe every one has to a large extent to follow his leader in the House in order to learn many things as regards this Parliamentary institution. I will not say anything more except that I appeal once again to all sections of the House to lend me their help and give me their assistance in the discharge of my duties as Speaker in a proper manner. I am very glad to have this opportunity to express my views on this matter. I shall only add that if the temper of the House yesterday was as cool as it is to-day, probably there would have been no occasion for such remarks on any side of the House; but unfortunately the temper of the House yesterday towards the close of the proceedings was such that Mr. Bose will remember that from my left—I do not absolutely mean right on the left but a little in front towards my left—about 10 or 15 members rose simultaneously in their seats on points of order. Surely all will agree with me, it is very difficult in a situation like this to keep control over the House unless one has to deal with the matter just as Mr. Bose would have dealt with it—perhaps more severely than I have done myself. Yet I hope the members will not misunderstand me when I say that my functions only begin when the members give me their help and assistance; and I am always prepared to give those who are in the back benches all the assistance I can to help them in their work as members of this legislature.

I shall not be long but I shall conclude by saying that I very much appreciate the observations of the Leader of the Opposition and of the Leader of the House and I hope that we shall all remember that forgetfulness is a very great virtue and we shall all begin afresh just now, so that there may not be any recurrence of such incidents. Personally for myself I shall be very glad to get the help of the Leader of Opposition and the Leader of the House in this respect. I again repeat that the success of the manner in which this House can conduct its proceedings depends largely upon the Leader of the House and the Leader of the Opposition. I shall conclude by praying that this spirit of friendliness and good-will may permeate all our daily work and I hope we shall begin our work again in a perfectly friendly spirit.

There is only one personal remark which I should like to make. I feel that, even though I have had justification, if any member has felt

that the ruling which I gave yesterday was too rigid, they will accept my explanation. Though I do not deviate in any way from the correctness of my ruling, I hope that members will realise that there are occasions on which it is difficult to keep control over a House like this when 10 to 20 people all rise up at once. I hope that if the members will kindly rise up in a manner in which sweetness will prevail, the task of myself and of the other members of the House will be more easy.

As regards my ruling regarding written speeches, as I said in the beginning, written speeches should be avoided as far as possible; but as I have said before, it is impossible to ban out written speeches altogether as even then on this side of the House there will be some members who will be deprived of their right of speech.

**Dr. NALINAKSHA SANYAL:** Sir, may I rise on a point of personal explanation? I submit that I shall not spoil the grace that you have thrown upon us. I have been perhaps the only member who has raised the largest number of points of order and therefore I owe an explanation. I have done it with a feeling that when we were meeting for the first time, it would be better for us to know the rules and the parliamentary practice properly. I have often tried to raise points of considerable interest, and on most occasions, Sir, I have quoted or referred to the rules and the passages from parliamentary authorities. If I have offended you and the House in any way through these, I must say that I have done it without any intention of offending anyone. I shall submit to your ruling, Sir, if it is your desire, that in future I shall not raise point even if you have some important direction to give on deciding on a point of order. Many of my points have given you this opportunity. Even now there is one point of order which you have referred to the Advocate-General or some lawyer, namely the admissibility of questions to members. I have not had your ruling on that point as yet. I have tried, as far as possible, to draw your attention to important issues, and if it is your ruling, as we have just now heard from you, that in future we should be as far as possible patient and should not raise questions or points of order I shall cease to raise points of order any more.

**Mr. SPEAKER:** It is far from my intention that points of order should not be raised. Dr. Sanyal, I must say that in spite of the numerous points of orders that you have raised, you have been quite helpful and I have taken a note of many new points which you have referred to. I hope you will not mind if I ask you to rise as many times as you like but I hope whenever you rise you will be as sweet and as cool as you have been just now (Laughter).

## THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

### DEMAND FOR GRANT.

#### “42—Co-operative Credit.”

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 13,81,000 be granted for expenditure under the head “42—Co-operative Credit.”

Sir, in presenting this demand to the House, I feel that I should just explain in brief to the hon'ble members the different items that go to constitute this sum of Rs. 13,81,000. This sum along with a further sum of Rs. 13,000 which is charged, make up a total amount of Rs. 13,94,000. This is all the more necessary because this is the first time since the Reforms were first inaugurated in this Province in 1921 that a demand of Co-operative Credit is going to be discussed in the Legislature by the representatives of the people. You will find, Sir, that this department was so long linked up with the Department of Agriculture and Industries, and the time that was allotted to that department during the budget discussions of past years was exhausted before the Department of Co-operative Credit was reached. It has now been given the dignity of being recognised as an important and independent department and I have every reason to hope that this dignity will be maintained by the House.

You will find, Sir, that the major part of the demand comprises the pay of officers and of establishment, allowances, honoraria and contingencies. All these items account for Rs. 10,65,000, of which, as I have said, the small sum of Rs. 13,000 is “charged.”

As we have not yet been able to establish any branch of the co-operative movement in the Chittagong Hill Tracts, we have not incurred any expenditure in that part of the Province and therefore nothing has been shown against it.

The next head, Sir, indicates “grants-in-aid” that are given to various institutions in the Province. The total amount for this purpose comes up to Rs. 2,12,000, of which a sum Rs. 2 lakhs is for the Provincial Co-operative Bank on account of the annual subsidy which was provided by the legislature last year. It is hoped that with this annual grant of Rs. 2 lakhs a year, spreading over a period of 12 years, the Provincial Co-operative Bank will be able to make good their estimated losses and at the same time to pass on benefits to central banks by way of remission of arrear interest and by reduction of the

rate of interest. I should mention in this connection that it is the earnest aim of the department to ensure, with the limited powers at its disposal, that the benefits that will be received by the Central Banks will in turn be passed on to the rural societies and their members. Out of the balance of Rs. 12,000 for grants-in-aid, a sum of Rs. 2,500 is distributed to various poor and backward societies, Rs. 6,500 is granted to the Bengal Co-operative Organisation Society—an entirely non-official body for the purpose of spreading ideas of co-operation amongst the people of the Province through non-official agencies. Dr. Promatha Nath Banerjee, late Minto Professor of Economics of the University of Calcutta, is the Chairman of the Society.

Sir, the head "other charges" includes expenditure upon schemes for the development of handloom industry by co-operative methods, for which Rs. 1,15,500 have been allotted. In addition to provision under this head for the pay of officers and of establishment specially employed upon furtherance of these schemes a sum of Rs. 75,695 is to be distributed amongst the different non-official organisations for the purpose of assisting and encouraging activities of co-operative societies. Alamdanga Yarn Depot is allotted Rs. 5,000 and there is a similar sum for Bankura District Industrial Union. Rs. 2,000 is provided for the Bengal Provincial Co-operative Industrial Society, Rs. 3,000 for Nao-gaon Co-operative Industrial Union, Rs. 2,000 for Chowmohoni Co-operation Union, and Rs. 4,695 has been proposed to be given to the Women's Co-operative Industrial Home. Rs. 25,000 is granted to the Bengal Home Industries Association which helps in providing a market for the products of co-operative societies; and other institutions will receive the balance of Rs. 11,000.

The "pay of establishment" under this head covers the salaries of various expert teachers and mistries engaged for the guidance of industrial societies. It appears therefore that the department has not only been alive to their sense of responsibility but has also been anxious to see that the money placed at their disposal will be spent for the correct development of co-operative industrial concerns on sound and practical lines.

The present demand for co-operative societies exceeds that of last year by nearly Rs. 2,30,000. The increase is partly accounted for by new schemes in connection with the development of handloom industry, for which an extra sum of Rs. 54,000 is proposed. Re-organisation and expansion of the staff of the department will require over Rs. 1,39,000 and increase in the staff of auditors requires Rs. 28,000. In 1935-36 the total expenditure of this department was Rs. 8,67,000 and you will observe, Sir, that in these two years the demand has grown by over Rs. 5 lakhs; it is a large increase, but completely justified.

It will be freely admitted that this is one of those departments which can very rightly be called "nation-building." There are no politics in it, and no room for politics; and I sincerely believe that if this department is worked properly and in true spirit it will not only be able to bring a message of hope to our suffering brethren but at the same time it will bring real relief to them. I must frankly confess that I do not presume that the Department is all perfect, or that the condition of the co-operative credit movement is at present all that we would desire it to be. But, Sir, I am sure, I shall be able to convince the House that if there are short-comings—and short-comings there must be—they are not entirely due to the fault of the department or of its officers.

It is just because I am conscious that short-comings and defects do exist that I welcome this first occasion of a discussion upon the work of co-operative societies and of this department. Through all these years we have never had the opportunity of receiving any advice based upon a healthy criticism of our activities. The department merely had to depend upon the powers given to it by statute—first the Co-operative Societies Act of 1904 subsequently amended by the Act of 1912—and upon the rules framed thereunder. It will appear from a perusal of the preamble of the Act of 1912 that this measure was enacted with the object of teaching self-help and thrift among agriculturists and labourers. In the several sections which go to make up this Act there is only the mention of the appointment of special officers for the purpose of guiding and advising the activities of the societies which would come within the purview of the Act. There is no provision whatsoever in the Act empowering the department to take any effective measures to enforce observance of the rules and instructions which are issued, or to impose any penalties for any breach thereof. It is no doubt true that the co-operative movement, if it is to prosper and to be of real service to the people, must be based upon good-will and honesty as also upon the idea of self-reliance. I do not for a moment suggest that there is any dishonest motive prevalent in the minds of our people, so far as the working of this movement is concerned. But, Sir, regard being had to the facts that a large percentage of our people is still illiterate and that human nature is human nature, it is at times necessary that in support of their efforts towards guidance and assistance, the department must also possess some powers of control and supervision over the workings of co-operative institutions. I may at once mention without any fear of contradiction that there is no such power given by this Act. And if to-day my honourable friends take us to task for not having been able to do all that they desire us to do I should tell them that before they can criticise us from that point of view they should—if I may use that expression—vest us with necessary powers and if we fail to exercise these powers properly it will then and then only that they can take us to task, but not before.

So far as I remember of the activities of the late Bengal Legislative Council for the last 7 years the Legislature did not get any opportunity of giving the department any advice. But I think if I remember aright the department came up for discussion in the course of a debate on a resolution tabled by one of the non-official members of the Council. Besides giving a personal touch that honourable member pointed out that the department was very much understaffed and that it did not possess sufficient amount of officers to be able to look after the working of the numerous village societies. It was also said that the department did not have that amount of officers which would have enabled them to deal with the reports that were submitted from time to time from the constituents, namely, the central banks or rural primary societies. Government felt, however, that the department required an investigation and one was actually held. It was found in the end that in point of fact the department was understaffed and in order that the department might be of some real service to the people it should be properly staffed without delay. Again on the result of that investigation it also transpired that the real officers of the department, viz., the Inspectors and Auditors who have to move about in the interior of the province guiding and assisting the primary societies, did not possess that amount of knowledge of the principles of co-operation. It was therefore thought necessary that these officers should have a training in the principle of co-operation. And those that would be recruited would also be given a proper training both in the theory as also in the practice of co-operative principles along with the principles of banking and auditing. The Government of India was moved and they felt the necessity of helping this department with money. I shall be failing in my duty if I would not have mentioned in this connection the line of action that the late Government took in this direction. In point of fact in January, 1936, this new scheme was approved and it is now being put into actual operation. As a result of this and with the money that has been placed at our disposal by the Government of India we have started a training camp at Dum Dum under the guidance of an experienced officer who is assisted by a number of officers who have undergone a thorough training in this subject in the Punjab. The first batch of officers who came in for training left the institute towards the end of July last.

**Mr. SPEAKER:** Mr. Mullick, how long you will take to finish?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** About 10 minutes.

**Mr. SPEAKER:** But we have got only 1 hour 45 minutes for the discussion of this subject. If you could finish it in 5 minutes I would adjourn the House thereafter.

**Dr. NALINAKSHA SANYAL:** He will talk it out.

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I have got to satisfy Dr. Sanyal with figures.

**Dr. NALINAKSHA SANYAL:** You are merely reading out office notes.

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** No, Sir. I am sorry, no one has prepared note for me.

The new recruits who will be appointed will also have to undergo similar training in the theory and practice of co-operation before they are appointed on a permanent basis.

At present there is one Assistant Registrar in charge of administration of each division and it has not been possible for him to even pay a casual visit to, not to talk of auditing, any number of societies that are under his charge. In each division the number is about 4 or 5 thousands. It is hoped that when the department is properly staffed the societies in the interior of the province will have proper attention from the officers of the department.

Sir, I do not think that I should be justified to anticipate the criticisms that several honourable members of this House desire to level against the department through the various motions that they have tabled. But I have every hope that when time comes I shall be able to satisfy them that in point of fact neither the officers nor the department were at fault. They desire that the department should be more active; they further desire that the department should be able to improve the lot of agriculturist; they desire again that the department should be able not only to supervise the working of the various banks and societies but that the department should also be able to reduce the rate of interest upon the loans they advance to the members of societies. By another set of motions some of my honourable friends desire that the department should be properly organised and worked. I can only say that their desires are the desires of myself and of the officers of the department, and that we are keenly devoted to the task of putting these desires into effect. But, Sir, for some of these more powers are needed and for others more time is needed. This is not a plea for time to sleep over the matter; far from it; from day to day our attention is concentrated upon the ways and means for improving the administration of the department and for putting into effect schemes designed to improve the methods and achievements of co-operative societies.

I should not be justified to go into the question of the activities of the department during these years as I find from the motions tabled that I shall have to mention other things in proper time to satisfy my

honourable friends to show that the department has really done something towards the development of both the credit and non-credit side of the movement.

I might indicate to my friends the measures which I have in view and which I intend taking as soon as possible for bettering some of the conditions which unfortunately exist at present in this department. Firstly, I think that the audit should be separated from supervision and I believe when this is attained it will be possible to put the accounts of all the societies and banks upon a proper check and in sound order. Secondly, I think that the Co-operative Societies Act needs amendment and in this matter I will ask for the support, help, advice and assistance of my honourable friends of this House and also of those outside public who are interested in this movement. Thirdly, I might say that I shall take action in the case of any breach of rules of conduct or discipline on the part of any officer of the department if that is brought to my notice. We have every hope that with the co-operation and help of our friends we shall be able at any rate to satisfy the demands so far as this department is concerned.

I think I should also mention in this connection that there has been some amount of misapprehension over the new appointments which are going to be made shortly. The volley of questions which have been put to me in both the Houses indicate that there has been this misapprehension. But I might at once tell my friends that there is no basis for any such misapprehension whatsoever. So far as my Muhammadan friends are concerned, I may say that their proper share in the services will be truly recognised: so far as my friends the members of the scheduled castes and other minority communities, *e.g.*, Christians, Paharis, Buddhists, Anglo-Indians, are concerned their proper share in the services will not be overlooked; and I might say in general that I shall do nothing by which efficiency of the administration might be hampered in any way whatsoever. It may be that I shall not be able to please everybody but I have every reason to hope that I will not displease anybody who takes a sensible and reasonable view of things.

Sir, I think I should also add one personal note to you, Sir, and to the House that I have never had any administrative experience. To be frank, I must admit that I have been a member of the legal profession for these long 23 years and for some time I have been a member of the legislature and of some other local bodies, such as, the University of Calcutta and the District Board of Khulna. I must also confess that I have not got any pretension or presumption of feeling that I know too much. But I have been trying to get into the complications of administration. I have not got any personal likes or dislikes; nor have I any desire to introduce any in the administration; but I shall try faithfully to discharge the duties that have been

entrusted to me, and I have every hope that, with the assistance and advice which the honourable members of this House would be good enough to give me conscientiously, and I can only answer the House that I shall be able to discharge those onerous duties and I shall never spare myself in the discharge of those duties, so that I may be able to be of real service to the people as also to my motherland.

One word more, Sir, and I have finished. So long this department has suffered from the lack of any advice and also from the lack of public interest, as also from the lack of sufficient staff. Now, I am glad to say that we are going to receive both in some measure. Let that interest be critical but let that also be sympathetic, and we hope also that we may be given some powers and time so that we might exercise those powers to make an effective control and to make proper supervision and that in the end we may prove to our friends that this Department is able to set this movement on its legs in order that it might benefit not only the thousands of its members but also the millions of people in Bengal; and I hope that we shall be able to justify the demand for Rs. 13,81,000 which I now formally move.

The House was then adjourned for 15 minutes.

*After adjournment.*

**Maulvi ABDUL BARI:** Sir, I beg to move that the demand of Rs. 13,81,000 under the head "32—Co-operative Credit" be reduced by Rs. 100, in order to discuss the inability of the department to improve the lot of the agriculturists in the province and also to discuss the relationship of the Central Banks with the Rural Societies at present.

Sir, as one connected with one of the best-managed and most solvent Co-operative Central Banks in this province I dare say without the least fear of contradiction—of any sensible contradiction I mean—that the co-operative movement in the province of Bengal has been a total and a complete failure. The manner in which the co-operative movement is being run, the ways in which its activities are being directed, has absolutely lost for itself the credence of the public and shaken their confidence in the movement itself. Some of the defalcation cases in the Central Co-operative Banks that came to the notice of the public and in which convictions were also secured also lend itself to the theory that the credit of some of the Central Co-operative Banks has been absolutely shattered. The objective with which the co-operative movement was ushered into this land from the Rhineland of Germany has failed to attain the desired end. The co-operative movement in Bengal was ushered in in the year 1902 to fight the menace that presented itself to the teeming millions of Bengal in order to relieve them of their indebtedness, and in order to better and improve their conditions, as well as to relieve them from the clutches of the mahajans who were fleecing them practically of their life-blood.

But, Sir, so far as the movement is concerned, we have to confess, and if reasonable, the department itself has got to confess, that it has failed to achieve the object with which the co-operative movement was introduced into the soil of Bengal. It may be said, Sir, that the co-operative movement in Bengal is an institution of recent growth and also that it is an institution not of indigenous origin but of foreign import; but still, Sir, when the movement was actually ushered in it ought to have been the duty of the department and the duty of Government to see that proper effect is given to the intentions of Government in running the administration of this department as it ought to be. Sir, the co-operative movement, after having been ushered in in the year 1902, was practically given effect to in whole in the year 1912 after the passing of the Co-operative Societies Act (II of 1912). Up till the year 1928, if the statistics are correct, you will find that the movement was steadily growing, but from the year 1928 up to date there has been a complete standstill, and the movement has failed absolutely to make a single step forward in achieving its policy. It might be argued by the department that since the year 1928 the whole country has been passing through a wide economic distress, and it has therefore not been possible to spread the movement to the extent that it ought to have been. The public feel, and the Government itself ought to feel, that in a country which is inhabited by about 5 crores of people, in a country in which there are about 1,20,000 villages, up till to-day, the movement has been able to establish only 23,457 co-operative societies and not more, and the department has been able to establish only 414 Central Banks and that up till now 1,414 rural societies have gone into liquidation. It may be said in defence that the movement has been a failure because there has not been a proper response from the Government in supplying money to the department itself. Sir, I am not going to accuse officers of the department for failing to cope with the situation, but I accuse Government itself, because it has been very much callous and have not appreciated the difficulties of the people. Government, it seems, ushered in this institution, only to show their good will to the people but not any genuine desire to help them. Practically, I should say that Government were moved to shed crocodile tears at the condition of the teeming millions of the people. It would appear that Government have provided only a petty sum of 3 lakhs for running the movement. Now, if you will please compare the position of Bengal with the position of the Punjab, so far as this movement is concerned, you will find that the Punjab has gone much ahead in this respect, though the movement in the Punjab was started not later than 1902. The reason is that the Punjab Government spend a sum of Rs. 1-12-9 *per capita*, whereas the Government of Bengal spend Rs. 0-7-9 *per capita*. That, Sir, shows the solicitude of this Government for the down-trodden people that inhabit the soil of Bengal! Bengal, Sir, is,

therefore, lagging far behind other provinces like Bombay, Madras, the United Provinces, the Central Provinces and Berar. You will find also that Governments in those provinces are providing a sum of Rs. 2-14-0 *per capita*, Rs. 0-13-0, Rs. 1-10-0, and Rs. 0-10-9, respectively, whereas Bengal only spends Rs. 0-7-9.

The Government of Bengal spends only a few annas per head for the education of Bengal's children and the Department of Co-operative is also spending a petty pittance to give relief to the tenants of Bengal. Therefore I say, Sir, that the movement has been a complete and absurd failure. The intention with which this movement was ushered in was to help the people as best as it could to relieve them of their indebtedness and also to teach them the lessons of co-operation and self-help. The Hon'ble Minister in charge told the House that the principle of co-operation and self-help is one of the principles that is to be taught to the people, but what has the Government done up till now? The Government has not moved its little finger even to give relief to the people in this direction. So far as we know there are Supervisors of the Central Co-operative Banks, who go to the mufassil not to teach their lesson on co-operation but to exact from them as much money as possible. Generally it ought to have been the feeling of people of the rural societies and the feeling of the masses that these Supervisors should come as their guide, as their counsel, as their teachers but whenever they appear, they appear as bringing tax gatherers whose appearance is abhorant to them.

Then there is another defect to which I also want to draw the attention of the Hon'ble Minister which is that here the Government has not supplied sufficient number of officers to run the administration like the Punjab. The Punjab has got 34 Assistant Registrars who have made certain units and certain groups within the department itself and the officers in whose care a certain unit is given go to rural societies and teach them lessons. Here you have appointed one gentleman as Assistant Registrar and you expect that gentleman to tour the whole of Bengal and inspect 33,000 rural societies in Bengal which is an impossibility. We want that these departmental authority should go to the rural societies, inspect them and give them advice; but we find that sometimes they go and only inspect the Central Banks and do nothing more than that. Therefore the department ought to give more money for the Inspection Department. Madras spends a sum of Rs. 50,000, Central Provinces Rs. 40,000 but what the Government of Bengal is going to do? Absolutely nothing.

Moreover I would submit that the indebtedness of the people of Bengal is rising high owing to the high interest that is being charged by the department itself. This movement was ushered in at a time when the *mahajans* were charging from 37 per cent. to 75 per cent. from the tenants and just to relieve them this movement was started.

but now the Co-operative Department charge 15 per cent. from the tenants. After the passing of the Money-lenders' Act that full credit should be given to the members, it does not lie in the mouth of Government to charge 15 per cent. interest. It may be said by the Hon'ble Minister that the amount of interest has been reduced but I do not know to what extent it has been done. So far as our bank is concerned, we have been charged 12 per cent. I may tell the Hon'ble Minister that, unless the interest is reduced to 7 per cent. it will be impossible for the debtors to discharge their obligations. I would further submit that interest has accumulated to such an extent that the people of rural Bengal think that the relationship of the Central Co-operative Bank and the rural societies is one of creditor and debtor. This situation must have to be changed and this can be changed only in this way that so far as the accumulation of the interest is concerned you will have to stop the running of the interest and that is the demand of the people.

Current short term loan must be advanced at the time of the raising of the crops: that is the way to give relief to the people. So far as the Rural Indebtedness Act is concerned, everyone is demanding it but it will be an absolute failure unless you start some Government banks in rural areas in some districts. For this I would commend the Hon'ble Minister to the programme that was drawn up and the resolution that was adopted at Bombay in which all the representatives of the different provinces assembled together. In that resolution, Sir, which I think is a reasonable resolution, it was adopted that Land Mortgage Banks must be established in every district and under it there must be loan and sale societies and there must be also some rural societies. Government must be in a position to lend to these Land Mortgage Banks sum bearing not less than 3 per cent. so that these Land Mortgage Banks may also be in a position to lend to the rural societies at interest of not more than 7 per cent. That may be one of the ways, and perhaps the best way, in which you can give relief to the people.

Before I conclude, Sir, I will only touch upon one or two points in short.

(The member having reached the time-limit resumed his seat.)

**Mr. SPEAKER:** Before I call upon the next speaker, I will ask Mr. Sibnath Banerjee who, I understand is initiating the debate on behalf of the Congress, to speak and thereafter the debate will be open for general discussion. I take this opportunity also of announcing the business of the House which members might be anxious to know. The budget will be over on the 6th and according to the programme there is not likely to be any sitting on the 7th, and I think members will have a little welcome leisure for one day after the long budget session. On the 8th and 9th there will be non-official resolutions; on

the 10th the Hon'ble the Revenue Minister proposes to introduce the Bengal Tenancy (Amendment) Bill and to move that the Bill be taken into consideration and the dates which have been fixed for discussion by Government are 10th, 11th, 13th, and 14th; 15th and 16th have been fixed for non-official Bills. I believe Bills have been circulated and notice will be issued to-morrow. But I am requesting members to send all amendments to the Bill as early as possible and at the latest the 7th by 3 o'clock so that we might have an opportunity of examining them and having them printed quickly. The more time we get the better will it be for the members because they will get notice earlier.

**MR. SIBNATH BANERJEE:** Sir, I beg to move that the demand of Rs. 13,81,000 for expenditure under the head "42—Co-operative Credit" be reduced by Rs. 100 to discuss the policy regarding Co-operative Department.

Sir, as the Hon'ble Minister has said this is the first opportunity that this House or any other popular House has got the opportunity of discussing the Co-operative Department which started in 1912 and so the criticisms that will be levelled will cover a period of 25 years. I may state at the very outset that even within the framework of capitalism it was the only movement which could give substantial relief to the peasants, workers and the lower middle classes and the potentiality of this movement has been to some extent dilated upon by the Hon'ble Minister. As I have very little time at my disposal I shall go immediately into the defects of the department. As has already been admitted there are two departments, the Credit and the non-Credit departments of this movement. The non-credit department has not developed to any appreciable extent in Bengal. As regards the Credit department it is generally said that the co-operative societies are even worse than the *mahajans* who used to squeeze the life blood out of the peasants. The peasants honestly and frankly say that to a *mahajan* whatever may be the dues, if they go and cry to him and fall at his feet, he will perhaps postpone it for a month or two. But the Co-operative Department crushes and crushes like a machine without mercy. That is the situation to-day. One of my friends was suggesting that it was the worst terrorism that Government could think of and I entirely agree with him in this respect. The co-operative movement is a great movement. We are sometimes called visionaries and in this respect I am also a visionary but I do feel that the co-operative movement has a great future, of course not at this stage but only after its frame-work of capitalism has been smashed. As I have said before that the motto সকলের ভিত্তিতে আমরা আজিকে সকলে মোদের ভিত্তিতে is a grand motto. But what do we find? The Hon'ble Minister was good enough to say that all is not well in the department. I would rather go further

and say that everything is wrong with this department. That is the motto with which the Co-operative Department should have been developed but which has been forgotten, which has not been remembered by any of the officers or even by the Minister. It is better not to speak of the movement; it is only like any other department of the Government and somebody was suggesting, when the Hon'ble Minister was asking for more power for the department, why should we not put the Co-operative Department under the Home Department so that there will be no difficulty absolutely, the power will be absolute and complete. In this respect I shall cite one or two examples. The main defects of the co-operative movement can be classified under three heads. One has been already admitted by the Hon'ble Minister that the Audit Department is to be separated from the Organisation Department. That was really a very great defect and we are much assured by the statement made here that henceforward it is not going to be so. One defect will be removed—let us hope so at least.

As regards the second, there also I shall be supporting the Hon'ble Minister—that is, lack of funds—though I am speaking on a cut motion, but this is a cut motion of Rs. 100. Personally I think that even if the grant were increased cent. per cent. or 400 per cent. it would not be enough for the needs of Bengal. Only 13 lakhs are being given for this department; even I think a crore and 13 lakhs or even more may be needed if we really mean business, if we really want to have the co-operative societies really effective and efficient—the co-operative societies in each one of the 120 thousand villages that we have in Bengal. So my criticism is that the lack of funds from which the department is suffering is real and therefore we must have more money if we want to do really something for this department.

I come to the third and there is the real criticism of the present administration of this department. Government or the Registrar to whom Government power is exercised there has got too much power and not too little power as was suggested by the Hon'ble Minister. I have no time to read out his functions, but practically he is all in all. He can suspend a society, he can do anything he likes to. Therefore, the question is not to have more power for the Registrar but less power. For the proper control of this department a non-official body was created and that body has been functioning and in the constitution itself it has been said that unless a non-official body functions properly the movement cannot grow, and in this view I have got the support of no less persons than Mr. C. S. Strickland of the Punjab, the late Rai Jamini Mohan Mitra Bahadur, who was a Registrar of the Co-operative Department, and a man, I should say, who had really a vision about the Co-operative Department—its future and its possibilities—and I would also like to mention one other name and that is

the name of Lord Ronaldshay, now Marquess of Zetland, who was a Governor of our Presidency and who is now the Secretary of State for India. All these persons were of opinion that the movement should not be controlled so much by official agencies but non-official agencies must have a proper share in the movement; otherwise departmental inertia would not allow it to move and might kill the movement altogether. Many non-official members want to co-operate at first but find it so difficult that they either succumb and become Rai Bahadurs or Khan Bahadurs or in disgust leave the movement altogether and try to do whatever is possible independently in their own sphere and in their own district.

**Mr. W. C. WORDSWORTH:** Sir, there is so much confusion of thought about the functions and services of co-operative societies that it may be of some use if some one in this debate restates its fundamental principle. I shall attempt to do so as long a theoretical student of co-operation and now Chairman of the Provincial Co-operative Bank of Bengal, which is an ultimate source of co-operative credit in this province. Other directors of co-operative banks in this House will, I hope, agree with me that this kind of banker may fairly be described as a depressed class, making no money for themselves and not much for their banks. I may, first of all, say what co-operative credit is not. It is not charity, it is not the handing out of money which at once will be forgotten by both the giver and the receiver; not the giving out of money without obligations. Nor is it the giving of long-term loans for any purpose for the general convenience of borrowers. In any country co-operative credit develops itself in relation to the peculiar circumstances of that country, and in Bengal it has become mainly a contrivance for giving the peasant the small capital that will help him to look after his land and keep himself and his family from one harvest to another until he can sell his produce and meet his liabilities. I may say, therefore, that co-operative credit in Bengal is a stream that flows out from the supplying banks through subordinate societies to the peasant, washes round him and his land, drops some of its beneficence there, and then flows back to where it came from, to be ready to go out on its rounds again. The current may be slow; but however slow and gentle there must be a flow. If the flow ceases, the whole co-operative credit stream becomes stagnant, and there is distress everywhere, amongst lenders, borrowers, peasants. It is hard now-a-days to keep the current of this stream moving. The peasant cannot send the flow on because he himself is so hardly circumstanced. What is the cause? Many blame the department. May I point out that this province has gone through bad times, that the building-up of the educative side of the work has been largely neglected, and that the peasant has not been stimulated by any one to remember his obligations, and that most of the societies dealing with this work are not official societies.

but private societies of men who are working to the best of their ability to serve their generation in their own small way? The department has managed and survived many difficulties, and in estimating its work we should remember that it is doing much more than it is equipped for. I think that is one of Mr. Bari's points. Further, its work has of late been influenced by deliberate campaigns against the department. Attempts have been made to discredit it.

Then, Sir, it is handicapped by inheritances from more spacious days when those responsible for the department were more anxious to add to its dimensions than to its excellences. There are the special difficulties in Bengal. But, in all co-operative credit structures there is this special inherent weakness. Co-operative credit generally deals with people who are economically deficient, and its purpose, in Bengal, is to help the peasant to become economically efficient in all ways; but it can only do its work by assuming that they are already economically efficient and reliable. It can only lend or refuse to lend money; if it is not lending money it is not co-operative credit; if it does lend money then it has to take all the risks inherent in lending money to people who, economically, are not good borrowers, and perhaps by their upbringing have not realized the full obligations that involve on the borrowers. Therefore, if the Co-operative Credit Department is attacked as inefficient, that means that this inefficiency is there in fact, because it is working under conditions that make for inefficiency, and in proportion as it improves those conditions and in proportion as it improves the material with which it is dealing, so does it diminish the need of its own services. In other words, there can be no such thing as a perfect Co-operative Credit Department, because it would not be needed in the perfect world that implies.

(At this stage the member having reached the time-limit resumed his seat.)

**Babu JATINDRA NATH BASU:** Mr. Speaker, Sir, it has been pointed out that the Co-operative Department has not worked with success because of the shortcomings of the staff of the department. I desire to point out to the House that the Co-operative Department in this province is worked to a very large extent by non-official bodies and agencies. The most important individual in the co-operative movement is the ultimate borrower; next to him is the village society which arranges for the advance of a loan to him. On the top of the village society is the central society which finds the money and distributes it among the village societies. The central society in its turn obtains the money from the Provincial Co-operative Bank at the apex. All these institutions are conducted by non-officials. The department only keeps a watch over those who are entrusted with working the movement, but it has not much to do with the actual working and conduct of the

co-operative movement in this province. The difficulty has been that those that have taken upon themselves the working of the movement which is to benefit the ultimate borrower, that is to say, the tiller of the soil, or the small artisan, have not been sufficiently trained in what co-operative credit is. The result has been that the sources of credit in many cases may show a tendency to dry up. It must be remembered by every one that the co-operative movement draws its resources almost entirely from deposits, from persons who want a small return in the way of interest. They deposit either at the central bank or at the provincial bank. If they do not receive this small interest these depositors will not deposit their money and will be gradually discouraged from depositing. So, in order to run the co-operative movement which draws its resources from the public through these depositors we must conduct the department in a well-conducted way. But for some reason or other the ultimate borrower, and those in the lower grades of the departmental organisation have not fully understood their responsibility in the matter. The result has been that while the Provincial Bank in Calcutta which obtains its deposits from the public to the extent of about 2½ crores and distributes the money throughout the whole province, has to pay interest according to stipulated instalments, half-yearly or yearly, on the stroke of the clock and cannot wait, central banks and the village organisations and the ultimate borrower, keep back and delay paying their interest. They do not consider that they are the persons who have the greatest responsibility in the matter to see that the sources from which money has to be obtained for the benefit of the province are not dried up. That has been one of the chief difficulties in this province of the co-operative movement. As regards the personnel of the department it is an organisation which obtains money and advances money on loan but unfortunately they do not investigate properly as to whom they should lend and how to organise collections at the proper time. For that purpose those that are entrusted with working the organisation of the State Department should be trained in banking methods and in banking institutions, they should have some knowledge of practical banking. As they handle other people's money they must be imbued with the idea of the sacredness of other people's money, and of the business-like methods in which it is to be employed. They have not got this training; this training must be such that it should accustom the persons under training with the ordinary working of banking institutions. Undoubtedly the co-operative organisation is not a money-lending organisation. I quite understand that. But as stated by the previous speaker it is an organisation to help the ultimate borrower, to help the actual cultivator to tide over his difficulties between the starting of his plough at the commencement of the cultivation season up to the harvest time when the produce can be sold—

(The member having reached the time-limit resumed his seat.)

**Mr. SURENDRA MOHAN MAITRA:** As I listened to the speech of the Hon'ble Minister I heard the voice of Esau but the hand was the hand of Jacob. The Hon'ble Minister in his speech has said that in the co-operative movement there is no room for politics and that there is no politics in it. I entirely agree with him. I am in a restricted and special sense a co-operator since the Co-operative Act was passed because the memorable speech of Gokhale attracted me to this movement. Since then I had been in it until two years ago when I had to incur the displeasure of the Registrar for which I was banned out of it. It was at the annual meeting of the Bengal Provincial Co-operative Organisation in 1935 I had the good fortune, according to my light the misfortune, to move a certain resolution criticising very severely the Government's departmental action and demanding the so-called provincial autonomy for the Bengal Co-operative Organisation and for not reducing the grant of the Government to this organisation.

This department has of late been suffering from an overzealousness and too much interference by the department. Co-operative movement should be as far as practicable left to the goodwill, as the Hon'ble Minister has said, of the people; but there has been of late a great manipulation by which very willing and able co-operators have been shut out from taking any part in the activities of the department. It has been said that no suggestion has ever been made regarding the working of this department. I think the Hon'ble Minister is perhaps not much connected with the working of the Co-operative Department. If he cares to go through the proceedings of the annual meetings of the Bengal Provincial Co-operative Organisation at which representatives from all over Bengal come and assemble and deliberate for days together, the Hon'ble Minister will find that many valuable suggestions have been given from year to year by this organisation only to be flouted and rejected by the Government. It is with a very abiding regret that in the year 1935 I said at the annual meeting that it was absolutely useless to make any suggestion because our suggestions were never heard or never given effect to: so that it does not lie in the mouth of the Hon'ble Minister now to say that there has been no suggestion whatsoever. The Hon'ble Minister has asked for goodwill and honesty of the people. The goodwill of the people is there, but you do not care to take advantage of it. You do not care to create the interest in the people to take more interest in the co-operative movement. My friend Mr. Shibnath Banerjee said that this is a department which really can, if it is run on a proper line, do immense good to the people, and it is for this that some of us who really belong to the non-co-operating section of this House take part in this co-operative movement, because we feel that there is room and ample scope for doing good to the people. But when we see that our hands are tied and the movement is throttled by the extra attention of the department we come away in disgust and utter despair.

Hitherto the Co-operative Department has been more or less a banking institution and loan office and nothing more. Unfortunately I must say that there is atrophy in the outlook of the departmental heads which has created something like a paralysis in the department. It requires a boldness of heart: it needs some revolutionary outlook and not the timidity of a weak mind which seeks inspiration from the department. Sir, I will cite one instance how this department is run. There is an auditor under the Central Bank of Natore. This man has been found defalcating the bank's money. He was appointed liquidator of several banks and collected money from several banks: he collected the money but has not yet credited the same to the Government. In spite of notices to the Assistant Registrar no action has been taken of it. On the other hand from the letter in the file of the Co-operative Department it will be found that these things have been already sought to be white-washed.

(The member having reached the time-limit resumed his seat.)

**Dr. NALINAKSHA SANYAL:** I rise to move that the entire demand under the head "42—Co-operative Credit" be refused.

Sir, I do not desire to inflict any speech on this subject because I feel that I am so much moved by the utter neglect of duty of the Government and the department concerned that it would not be possible for me to say things with moderation. Therefore, and in order to save the time of the House, I have circulated a note and I crave your indulgence to accept this and incorporate the note as a part of the proceedings. With these words, Sir, I hand over a copy of the note to the Hon'ble Minister (who has already got one copy) and one copy to the official reporters. I have already placed one copy of this on the library table. If members go through the note they will find suggestions in it which I am sure, they will consider as constructive and practical.

**Maulvi ASIMUDDIN AHMED** spoke in Bengali of which the following is an English translation :

Mr. Speaker, Sir, enough has been said about the Co-operative Department. I shall not take much time of the House and shall content myself with referring only to a few incidents in my own district. The Co-operative Department was set up for the benefit of the poor peasantry and it did some good to them in the beginning. During these hard times when the economic condition of the peasants has grown extremely deplorable and when they are almost completely ruined as a result of their indebtedness to the zamindars and the mahajans the oppressions which the men of the Co-operative Department have been practising upon them are simply indescribable. I have seen with my own eyes that Co-operative Department people had brought

under arrest debtors without any warrant and also kept them confined. In some instances debtors were kept standing in water and sometimes kept sitting under benches. In some cases again beating was resorted to—not to speak of the most filthy abuses that were hurled. Some people of the Co-operative Department entered a house at the village Kodya near Akhaura in Brahmanbaria subdivision in the absence of the owner of the house and were taking away all his moveable properties when the villagers protested against this action. Because of this protest a false case was instituted against 6 or 7 of these villagers. In the lower court the accused were sentenced to terms of imprisonment varying from six months to one year. They were, however, acquitted on appeal but they have been financially ruined as a result of this case. There have been several cases in Chandpur subdivision in which some of the employees of the Department have been punished. Corruption has increased to such an extent within this Department that it cannot work any more. For obtaining bribes they attached and put to auction properties of even those who had already cleared their debts and as soon as the bribes were given the properties were returned to the owners. The establishment of the Debt Settlement Boards has, I presume, made the continuance of the Department unnecessary; for, the Co-operative Societies are no longer willing to lend money to peasants.

The employees of this Department have very little work to do now. During the last election I saw thousands of Co-operative Department employees carrying on house to house canvassing in my own district of Tippera. If they had any work in hand they could not certainly have canvassed votes illegally and unjustly during the election. Auditors, inspectors and even the Assistant Registrar himself went to Comilla for the purpose of canvassing votes. We sent repeated telegrams to Government but obtained no redress. In an election suit at Comilla names of several employees have been mentioned. So from all points of view the failure of the policy of co-operation has been proved. A terrible disservice has been done to the agricultural debtors by excluding the dues of the Co-operative Societies from the arbitration of the Debt Settlement Board. There is no doubt a nominal provision that payment by instalments may be made with the permission of the Registrar but replies to applications are not received before two or three months are passed. Besides, not more than two or three years' time is allowed. It does not benefit the debtors in any way. So this Department has now become totally useless.

**Babu KSHETRA NATH SINHA:** Sir, in opposing the motion of Mr. Abdul Bari I do not say that the co-operative movement has succeeded. It has failed but not completely. Mr. Bari said that it had failed completely and Government were responsible for his failure. But, Sir,

my experience is otherwise. I have some experience of the working of the co-operative movement and for some time and even now I have taken part in the movement. Government are, of course, responsible to some extent for the failure of this movement; but ultimately who is really responsible for this failure? To my mind the people are surely responsible to a great extent for this failure. Until and unless the morality of the public is raised the co-operative movement cannot succeed.

Sir, I have seen in villages where this co-operative movement is going on there are big village *dewanias* who, in collusion with the Government officers, take part in distributing the money amongst the poor illiterate masses taking the lion's share for themselves. These village *dewanias* take the major portion of the money but they are not in the habit of paying the money while the illiterate poor masses are made responsible for the money and certificates and something like that are issued against them and their cattle are taken away or their utensils are attached. Therefore I say, Sir, if the movement is to succeed at all, the morality of the people should be raised. We cannot complain against the Government only but we complain that the public is somehow or other responsible for this degraded position. Sir, this movement has succeeded in western countries and it has succeeded even in India in the Punjab. But why it has failed in Bengal? Is the Government only responsible for this failure of the movement? To my mind, Sir, the Government is not solely responsible but the people of Bengal are responsible to a great extent (Laughter). My friends may laugh but the thing is that they have not got any practical experience of the mofussil. They live in big cities and towns and have no practical knowledge how this movement is going on in the mofussil. Sir, you know how the people in the mofussil are oppressed by the big people.

Sir, I do not applaud the Government for the failure of this movement but, Sir, this movement is based on self-help and joint action. But do the people help the Government or the Government help the people to do their work jointly? The people being illiterate are not used to help themselves nor they are able to act jointly for the elevation of their own position. For this state of things, to my mind, Government is responsible to some extent but the public to a great extent.

Sir, the Government must be ready to begin with a clean slate. The major portion of the banks should be liquidated. I see, Sir, now and then in the gazette that some banks here and some banks there are being liquidated. What is the reason, Sir? Is Government responsible for the liquidation of these banks? Certainly not: the people are responsible, because once they get the money they are not used to pay it. Mr. Abdul Bari said that the Government is not lowering the rate of interest. Is the Government responsible for lowering the rate of

interest? Mr. Abdul Bari is not aware of the fundamental principle of co-operation. This money, Sir, is advanced not by the Government but the bigger portion of the money is advanced by private individuals who must get their full interest and they are not lowering their interests at all. Last year there was a provincial conference in my district of Rangpur and we asked all the provincial banks to lower their interests. Mr. Wordsworth was one of the members and he presided over that meeting. We asked Mr. Wordsworth to lower the rate of interest in order that the Central Banks might be relieved to a great extent.

(The member having reached the time-limit resumed his seat.)

**Mr. ABDULLA-AL MAHMOOD:** Mr. Speaker, Sir, while supporting the motion of my honourable friend Mr. Abdur Bari I intend to make a few observations on the policy underlying this movement. Almost all the defects have been discussed threadbare on the floor of this House and different voices have only been raised by Mr. Wordsworth, Mr. Basu and my friend on the other side who just now spoke. I fully agree with Mr. Bari and I add further that there is something wrong at the very bottom of this movement. He has also said that this is a foreign import. I quite agree with him and beg to supplement further that only the superficial aspect of this movement was borrowed from foreign countries, and an attempt was first made to give effect to this scheme by establishing a few credit societies without taking care or having regard to the fact that there is something underlying this movement which requires great care and nurture. Now, Sir, when these banks have been established, attempts have been made only just to substitute these banks for the ordinary banks started by private bodies such as loan offices and banks. Now, we see that some officers, viz., inspectors, auditors and supervisors attached to these central banks have been taught only to perform and conduct the business in the same manner as has been followed in the conduct of business of loan offices and private banks. The main and important function has not been taught to them, but it cannot be blamed that these officers are responsible for it. The whole responsibility lies with the Head of the Department and the Government itself who did not care up till now to know what the principles and the wrongs underlying this movement are. Only the central bank invested money to the rural societies and that is without having any care or regard to the fact that these rural societies have got the capacity to pay and the rural societies again which are composed of men who have got very little knowledge, experience or education have in the same way invested money without the least care and without regard being had to the capacity of members or whether their lands are sufficient to cover the loans or whether they have lands or some other source or not to pay their debts. In this way more of the money has

been invested and it has been subsequently found that the pressure on the land of the borrower is so great that his loan was sure to be a burden on the other members of the society. If the inspectors, auditors and supervisors come into the rural areas, they are thought as a menace to the persons who are connected with the Co-operative Department in the villages, because it is not uncommon, I beg to suggest that the whole outlook should have to be changed. If the movement in the countries from where the source has been imported here, has flourished on account of the tactful dealing in the conduct of the movement, why then Bengal is lagging behind? I think this responsibility cannot be shirked by Government when it is said that they are doing their business with the full responsibility and full knowledge of duty. The main thing which the co-operative organisation has failed to grasp, is in my mind to carry on proper and regular propaganda. The propaganda system had once been established, but now it has ceased to function and it has practically become a money-lending business now. We have got an idea from the Hon'ble Minister that he is going to separate the department of propaganda from that of the other departments. I beg to submit that this has long been overdue and that Government has committed a great blunder in not taking recourse to such a step long before. Then, Sir, I beg to submit that there have been defalcations. There has been corruption in these rural bodies as well as in central bodies. Why these corruptions at all crept in is a matter for consideration of this House. I will only point out through you, Sir, that it was on account of the carelessness of the departmental officers who practically did not take proper care in the administration or in the conduct of business of this movement. This movement embraces many things, it embraces agriculture, industry and rural reconstruction. If all these are at the bottom of the co-operative movement, may I ask the Hon'ble Minister to place on the table here what up till now from 1912 the Government has done to improve them and thereby to improve the condition of the people and the starving millions for whom this department has been opened? Of course, I admit, Sir, that the staff is quite insufficient, but that is a very lame excuse.

(The member having reached the time-limit resumed his seat.)

**Al-Haj Maulana Dr. SANAUULLAH:** Mr. Speaker, Sir, in this connection may I draw the attention of the Hon'ble Minister to a knotty problem, I mean owing to the recent amendment of the relevant section of the Civil Procedure Code some of the urban co-operative societies are growing shy in advancing money to the poor class of people, because if their salary is less than Rs. 100 that cannot be attached any more. So those poor people who cannot procure sureties whose salaries are more than Rs. 100 or if the applicants themselves are not drawing a salary of more than Rs. 100, they cannot get any relief in the shape of loans from

these urban co-operative societies, and I appeal to the Hon'ble Minister in charge of the Department to find out some sort of solution for this unfortunate state of affairs.

Another point to which I would like to draw the attention of the Hon'ble Minister is this. There has been corruption as has been narrated by my learned colleagues, the honourable members of this House, and also there have been defalcations and tyranny is sometimes practised by the officers of the Co-operative Department. But since there is a change of attitude and mentality of the Government since the inauguration of the reformed constitution, I think it will be in the fitness of things if not only the Hon'ble Minister in charge of the Co-operative Department but all the Ministers issue written instructions to all the District Officers and Divisional Officers to take a lenient attitude towards the peasantry of this country, and I would request them to temper justice with mercy, because although there are cases where Projas have generally heard from our Premier that all the District Officers of the province are under the control of the Premier still in practice we do find that the mental attitude of the District Officers is not yet changed, and they still persist to continue their former habits and stick to them. So I think a fresh instruction should be issued to all the officers of the Co-operative Department asking them that they should take humane attitude towards these poor people. Sometimes I have referred these things to the District Officers themselves and they said "Why don't you write and give some specific instances so that we may take action in time; we cannot waste our time in going through the letter." May I ask the Hon'ble Minister whether it is possible for these poor people to follow the correct and rigid procedure? They are involved in debts, because they are poor and ignorant; they cannot get their grievances redressed as they cannot formally approach the district authorities. We are involved in a vicious circle. If you say why they suffer, because they are ignorant; why they are ignorant, because they are poor and there lies the responsibility of the Government. The Government of the province should find out the ways and means to ameliorate the condition of the people of this province by providing education, sanitation and economic relief, so that there may not be any complaint of ignorance and that might be, in my humble opinion, the panacea of all evils. If the people are properly educated, if they have sufficient means of subsistence, they will not tolerate anybody to tyrannise over them and oppress them. They would raise their chorus of protests against all these oppressions and corruptions. But now there is no other alternative but to endure silently and patiently in the hope of better days in the immediate future.

**MR. SYED ABDUL MAJID:** Sir, I wish to say a few words in the course of this debate. It seems that the mover and the supporters of

the cut motion are of opinion that the co-operative movement was alone responsible for the economic salvation of rural Bengal; but I am sorry that I cannot agree with them. I think that it is the co-ordination of the Co-operative Department, the Agriculture Department and the Industries Department that are responsible for the economic improvement of the rural Bengal. Sir, it has been said that the co-operative movement is a complete failure, but I do not agree there also. It has not been really able to do all that it had intended to do. But certainly it has done something towards the amelioration of the rural people. Now, Sir, it has been admitted that the *mahajans* used to realise interest at the rate of 37½ per cent. to 75 per cent. till 1928. From 1928 they had to lower down their rate of interest, and what was it due to? I think the co-operative movement is responsible for the reduction of the rate of interest so far as the *mahajans* are concerned. We know that the *mahajans* used to realise exorbitant rate of interest from the cultivators, but the co-operative movement helped to lower down the rate of interest. It has been said by a speaker that the co-operative society is like a crushing machine and it crushes and crushes the poor cultivators, but it does not apply to the co-operative societies at all; it applies to the *mahajans*. Do we not know that the *mahajans* are responsible for the ruination of many cultivators? It is said that the *mahajans* give time, if they are approached, sometimes up to 3 or 4 months. Why? They do give more time. I say it is because the *mahajan* invests Rs. 100 and takes a mortgage of the property and he waits and waits till 12 years, and when its interest and principal is accumulated to several hundreds, then he comes upon the cultivator and files a suit and takes away all the properties that the cultivator had mortgaged to him. This is, Sir, not the only instance. There are many instances, which everyone knows, in which the *mahajans* have ruined many cultivators. But we know a few instances where co-operative societies have been so harsh to the cultivators. Of course, as we know, the co-operative supervisor goes and realises money lent to him for a short term to raise crops, but when the cultivator fails, to give the money after repeated demands the co-operative societies file disputes and when the amount was not yet very heavy the amount is realised from him. We know a very few instances in which the cultivators who borrowed from the societies have been totally ruined as in the case of *mahajans*. Sir, it has been said that there are defalcations and misappropriations in many societies. If we think of that, we stand condemned ourselves, as it has been pointed out that the whole movement has been conducted by non-officials with only a few officials to supervise the work. Of course, there is a dearth of officials for supervision, but that does not explain away the dishonesty that was committed by the non-official people. It has been said by the Hon'ble Minister in charge of the department that the department is understaffed, and I think that is

to a great extent responsible for these defalcations. As I have already said that the department has not been able to do all that it had aimed at doing, i.e., to alleviate the sufferings of the cultivators; but in some places the co-operative movement has done good and I know some such instances. I know of Badarkhali Colonisation in the Cox's Bazar subdivision of my Division. Sir, there was a forest of 3,600 acres of land which was deforested by the Government. It was full of jungles and an abode of jackals and foxes. It was made over to the Co-operative Department and the Department took it up, reclaimed it and colonised it. Sir, you will be glad to know that the place is now quite a habitable one where 600 families with a population of 3,000 men—all landless labourers from different districts—live.

(The member having reached the time-limit resumed his seat.)

**Mr. SUKUMAR DUTTA:** Sir, I rise to support the cut motion moved by my honourable friend Mr. Sibnath Banerjee. I take this opportunity in bringing to the notice of the House the numerous cases of defalcations that are taking place in the co-operative societies of Bengal. I cannot but severely condemn the Co-operative Department as being primarily responsible for the deplorable state of affairs now prevailing in the co-operative societies of Bengal. In the last few years there has been no less than 50 cases of defalcations in these societies. I mention only a few sensational cases of recent happenings: Bankura Central Bank, Midnapore People's Bank, Chandpur Bank, Bengal Nagpur Urban Bank and last but not the least Hooghly Credit Co-operative Bank in which more than a lakh of rupees were defalcated. In this connection I like to quote a few lines from the judgment in the Hooghly Co-operative Bank case. The learned Judge said:—

"The system of auditing seems to be defective. I am constrained to remark that unless the check by the Co-operative Department be more effective and efficient, unless the system of auditing be more adequate and thorough and actual auditing more efficient, it would be rather safer for the public that such Banks should cease to exist."

In a previous trial in connection with another defalcation case, where the same group of persons were involved, one of the accused Satyadaya! made statements implicating Bhupen Ghosh, Inspector of Co-operative Societies, and certain other officers of the department. The trying Judge in his judgment criticised the laxity of the department and forwarded copies of the judgment and the statements of Satyadaya! to the Registrar, but it is a mystery, if not a positive scandal, that no action has yet been taken. The "Amrita Bazar Patrika" in their editorial—

**Mr. SPEAKER:** Order, order. You cannot refer to the editorial comment of a newspaper.

**Mr. ABDUR RAHMAN SIDDIQI:** On a point of order, Sir. I have seen in the proceedings of the House of Commons that the name of the "Times" is mentioned and sometimes extracts from that newspaper are read.

**Mr. SPEAKER:** If Mr. Siddiqi had heard what the point of order was, he would not have raised it. The speaker had been referring to the editorial of a newspaper.

**Mr. SUKUMAR DUTTA:** Sir, there has been persistent demand by the public for the desirability of the Government issuing a communiqué on the result of the enquiry regarding the complicity of the officers of the department in the Hooghly Credit Co-operative fraud case, but strange enough the Government is still mysteriously silent. Mr. Speaker, Sir, the people deposit their life's saving in Co-operative Banks on the faith that these organisations are looked after and supervised by the Government. These are not the surplus fund of the rich but represent the poor man's mite, a saving made at the cost of denying oneself many elementary comforts and convenience of life and ~~suffering~~ many privations and hardships. If these savings are flattered away by the authorities and criminally wasted by wilful negligence, I am afraid, Sir, no terms are too strong to condemn the authorities of the Co-operative Department. Sir, the basic principle of a sound system of audit is that the auditing authority should not have any responsibility in the management of the concern, the accounts of which are to be audited. So I suggest that public auditors be appointed and the Accountant-General, Bengal, should be immediately approached for lending a few audit officers for ensuring independent audit.

In conclusion I appeal to the Government to agree to a persistent demand of a public enquiry of the alleged complicity of the departmental officers in the defalcation cases and also for the appointment of a committee of officials and non-officials interested in the co-operative movement to devise ways and means to improve the working of the department and prevent these ever-recurrent defalcations. The new Ministry should begin with a clean slate.

**Mr. ABDUR RAHMAN SIDDIQI:** Mr. Speaker, Sir, I am sure every member present in the House to-day has realised that it is not only that there is something wrong with this department but that it is rotten from top to bottom. Accusations have been ~~flung at its~~ administration and officials by almost every speaker. As I sat listening to the statement of the Hon'ble Minister in charge of the Department, I felt that he could not very well defend what had happened before he

took charge. "One of the most important departments of what we call "nation-building departments" has been passing through a sort of blizzard for a period of almost seven years perhaps more.

The officers are declared to be bad, the auditors are bad, and, in fact, banks, societies and everything connected with the department has gone to the dogs. In this connexion, Sir, an old Persian saying "وزیر چنین شهریار چنان" "Wazir-i-chunin Shahriyar-i-chunan" comes to my mind, which means "As the Minister so the King." It should have been the duty of the Minister who ruled the department for years to have so inspired the officers of the department as would have compelled them to look upon their duty with some sense of responsibility. I think the House owes a deep debt of gratitude to Dr. Nalinaksha Sanyal, for having placed before every member a resume of the charges as well as of constructive suggestions. Without this department, Sir, all our efforts in Agriculture, in Industries, and the other minor departments, as they are called to-day, but which I should like to call the major departments of this province, will be in vain, for these departments cannot go ahead without co-operation. Agriculture and Industries will be no-where unless there is a co-operative system to help both, and, therefore, Sir, I should like to appeal to the Hon'ble Minister in charge to take courage into both of his hands and to appoint a committee of inquiry and investigation to find out who was responsible for this terrible devastation in this one of the most important departments of State. If I could go a bit further, I should like the whole Cabinet to realize that they have got powers to-day which none of their predecessors possessed. Let them realize that they are the masters of the situation. Let them make mistakes. This House will look with indulgence on their mistakes; but, for goodness' sake, let them go forward and give us some sort of an earnest of their intention to make things move and assure us that they will not take shelter behind the fact that the rot had set in during the time of their predecessors and that the sins of the parents should not be visited upon the children. If things are bad let them come out and tell us so. Let them find out the culprits and punish everyone who has been responsible for this terrible state of affairs and for the havoc played with the chances of improving the lot of the people of Bengal.

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** Mr. Speaker, Sir, at the outset I must express my hearty thanks to my honourable friends for the very kind advice they have given me in the course of this debate. Sir, even when any of my honourable friends has been a bit caustic, I have taken that too with a sense of gratitude. But I am extremely sorry that things should have been said for which

personally it would not be possible for me to give a reply. But, Sir, I can give this much of assurance to the honourable members that I have taken note of all that they have said, and I shall personally look into those matters. If on an examination of these matters it becomes necessary to go into these things more deeply, I shall certainly not hesitate to do so.

To start with my friend Mr. Abdul Bari he knows as chairman of one of the premier Central Banks in this province—for he ought to know, how these banks are worked. He said that the co-operative movement had failed completely to be of real service to the people. A reply has been given to this by my honourable friend Mr. Abdul Majid. I do not admit that charge. But then, Sir, at the same time I have got to say that the movement has not failed completely, but that it has not been able to do as much as we all had expected of it. He had referred to the movement having come into existence in 1902, and that after the enactment of the Co-operative Societies Act of 1912 the movement went on very well till 1928 and that it came to a standstill after that year. Does he not know, Sir, that after that year there came the terrible economic depression all over the province? Does he not realize, as I hope he does, that this was one of the main reasons which were responsible for the terrible plight of this movement? Both my friends Mr. Abdul Bari and Maulvi Asimuddin Ahmed have complained against the work of the officers of these banks, more especially of the supervisors. My honourable friends do know, I am sure, that these are officers of their own; the department have nothing to do with them. And it is these officers who realize the money that have been lent out by the Central Banks to the rural societies and their members on behalf of the Central Banks. And if they have done anything wrong, I do not know how the department can be said to be at fault. It is when these officers have failed to do their part of the work on behalf of the Central Banks and it is when the Central Banks do send up a request, it is then and then only that this department goes out to help them. Under these circumstances, I do not know how it can be said that this department is at fault for the conduct of the supervisors. In this connexion, before I pass on to the next item, let me remind my friend Maulvi Asimuddin Ahmed that the debt which any member owes to a co-operative society also comes within the purview of the Bengal Agricultural Debtors Act. The only thing is that just before an award is signed the permission of the department will have to be taken to ensure that the debt was a genuine one, and instructions have been given to Assistant Registrars of Co-operative Societies of the Divisions that when this is done no delay is made by them in according sanction as the circumstances of the case deserve.

Now, Sir, after what has been said by my hon'ble friends Mr. W. C. Wordsworth—at one time my Professor in the Presidency College,—(Cheers) and Mr. Jatindra Nath Basu, at one time President of the Bengal Co-operative Organisation Society as to the real scope of the movement, I do not know if anything is left for me to develop on that side of the question. It has been rightly pointed out by both of them that the principles of co-operation have been totally forgotten in this country. It is indeed unfortunate that I have to say things of that description, but undoubtedly this is a fact. While I am on this side of the question, I might remind my friends that I shall not say anything in regard to the working of this department. The Preamble of the Co-operative Societies Act shows that it was enacted with the express object of teaching thrift and self-help to the people of this country. Mr. Sibnath Banerjee complained that the department suffered from want of a proper staff and want of money. I am entirely at one with him in those respects. I however differ from him in the other aspect, that he stresses, viz., that the department was at fault. I did not say, however, that the department is without any imperfections or defect and that it is perfect, but I only desired that time be given to us so that we can go into these problems more deeply and more carefully and take immediate steps as the circumstances of the case demand.

Before passing on to the next aspect of the question, I might refer to the various cases of defalcation that have been mentioned by my hon'ble friends. I might at once say that some of these defalcations have been at any rate inquired into, and that others are still pending. It is unfortunate that my honourable friend Mr. Surendra Mohon Moitra said all the things that he has done although he was connected with this movement for 11 years, and seems to think that because he incurred the displeasure of the Registrar of Co-operative Societies he had to sever his connexion with the movement. I join issue with him there, and can only say that I have no personal knowledge of this. I must confess my ignorance that I have not so much knowledge of the co-operative movement as my friend has. I regret that I have not been connected with the movement directly, but I claim to have some knowledge about it, although I am not presumptuous enough to feel that I know everything.

The specific case mentioned by Mr. S. M. Moitra with regard to the defalcation case at Natore relates to the Secretary of the Society. Unfortunately, he belongs to the legal profession to which I too have the honour to belong. It was detected by the auditor himself, and a complaint has been lodged before the Subdivisional Officer of Natore. The department is also pressing the authorities for taking cognizance of the case. I might also say that recently cases of that description came to my notice, and I might tell my honourable friends at once

that three of these cases have just been put under simultaneous investigation and that the two officers concerned have been put under suspension. Therefore, my friends will excuse me when I say that I always give particular attention to such cases when they are brought to my notice. When specific cases are brought to my notice I shall always look into them and this assurance I give to my honourable friends here.

Sir, with regard to the other aspect of the question which was raised by Mr. Sibnath Banerjee as well as by Mr. Surendra Mohon Moitra, viz., the non-official organization known as the Bengal Co-operative Organization Society, I am sorry I have not much personal knowledge about it, but I have heard something about it. It has been said that too much official interference has done this society some harm. Well, Sir, if that interference came, it came, apart from anything else, from the request of the Honorary Secretary, in the matter of collecting subscriptions on their behalf. Sir, time will not permit me to go thoroughly into details of these cases. If there was time enough, I would have been able to satisfy all of my friends that, but for this departmental interference the society would have fared badly. However, Sir, I can tell my friend Mr. Sibnath Banerjee that I had the honour of meeting the Honorary Secretary of the Society some time back. And I called an informal conference of some gentlemen at the suggestion of the Secretary himself because they were interested in the affairs of the society, and when I met them—both officials and non-officials—round the table and had discussions with them, I found that all of them agreed to the suggestion I myself made, to put this organization in a better condition, with the one exception, namely, the Honorary Secretary himself who unfortunately did not agree with them. I can give the House this much assurance—

**MR. SIBNATH BANERJEE:** On a point of information, Sir. May we know what were the suggestions made by the Hon'ble Minister?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** Time will not permit me, Sir, to go into them—

**MR. SPEAKER:** How long will you take to finish your speech for I want to adjourn the House for prayer now?

**The Hon'ble Mr. MUKUNDA BEHARY MULLICK:** I think I shall be able to finish it in about 5 minutes.

**MR. SPEAKER:** In that case, I had better adjourn the House and hear you further after the adjournment.

The House was then adjourned for 15 minutes.

*(After adjournment.)*

**The Hon'ble Mr. MUKUNDA DEHARY MULLICK:** Before we rose I was just pointing out to my friend Mr. Shibnath Banerjee that even under those circumstances I am still prepared to have an informal conference with him and other members that he may choose to nominate to see how we can exchange our views with the object of making the condition of the Bengal Co-operative Organisation Society better than what it is to-day.

With regard to two other matters I am entirely in agreement with him and I assure him that I have already taken steps. I hope that in these circumstances Mr. Shibnath Banerjee will see his way to withdraw his motion.

With regard to what has been said by Mr. Sukumar Dutta, I indicated in the beginning of my speech that we realise that the department was not so well trained and I specifically mentioned that the officers, namely, the inspectors and auditors, who have to move about in the interior of the province guiding and assisting the societies, are not well trained in the subject of co-operation. It is with that object in view that we have started the training camp, and both the existing officers and those who will be appointed will have to undergo a thorough training in the theory and practice of co-operation as also the system of banking and auditing. This also is a subject which has been hinted by my friend Mr. J. N. Basu.

With regard to the cases of defalcation that my friend Mr. Sukumar Dutta mentioned, at least one of them, namely, that happened in the Bengal Nagpur Railway Urban Bank, involved a defalcation of over a lakh of rupees. It was audited by a Chartered Accountant and the Department had no hand in it. Steps may be taken by the Bengal Nagpur Railway itself and I do not know how we can help it.

In regard to the other cases of defalcation that have been mentioned, I have already indicated that I have taken steps in two or three cases. As regards some of the others cases are pending in court. This is really a story which is regrettable but at the same time I can assure my friends that if, as I propose, after going through the records of these cases thoroughly I find anything wrong, I shall certainly take steps that may also be necessary in regard to each of them. I will not hesitate to take any further action that may be necessary. At this stage I hope my friends will excuse me if I do not go further into detail. As I have already stated, all these cases that have been mentioned will be specifically looked into. I will certainly go into them and see for myself what action we can take.

That is all I have got to say with regard to this aspect of the question. With regard to the movement as a whole, I will not have time enough to enter into details.

Those of my friends who have raised the question as to the rate of interest that is still prevalent in the countryside I can assure them that the department has already taken steps to reduce the rate of interest. Mr. Abdul Bari knows that when this movement was started the agriculturists used to borrow from the ordinary mahajans at a high rate of interest—70 to 75 per cent. But when this movement came into existence the rate of interest went down to 12½ to 15 per cent. and since then the agriculturists are taking advantage of this low rate of interest. With the subsidy that has been granted to the Bengal Provincial Co-operative Bank to the extent of Rs. 2 lakhs annually, arrangement has also been made to reduce its rate of interest with respect to the Central Banks. It has now been brought down to 5 per cent. by amicable arrangement.

It has also been arranged so far as the rural societies and other banks are concerned that a large number of instalments would be given to these societies, so that they will be able to pay off their interest to the banks, from which they borrowed. Under these circumstances it has also been decided that the Central Banks would reduce their rate of interest so far as the rural societies are concerned from 15 to 8 or 9 per cent. I submit that it is a considerable reduction of the rate of interest and the Central Banks are accepting this reduced rate of interest. I hope this reduction of interest will give a good deal of relief to all the rural societies and their members. I submit, Sir, that is the general reply that I can give to the various criticisms that have been levelled against this department.

My hon'ble friend Dr. Sanaullah drew attention to the effect of the recent amendment of the Civil Procedure Code upon this movement. I have not looked into the matter. But I can only promise to do so to remedy the state of things. This is the brief reply that I can give.

In view of the statement that I have made I hope my friend Mr. Abdul Bari will be good enough at least at this stage to withdraw his motion, and I would make the same request to Mr. Sukumar Dutta and to Mr. Sibnath Banerjee.

With regard to the typed copy of the note which has been circulated by Dr. Nalinaksha Sanyal with a request that it should go into the proceedings, I submit that this cannot form a part of the proceedings. I strongly object to it. I do not know the rules, but I object to some of its contents. He has made some very wild and vague accusations for which there is no foundation. For example, he says that the Registrar has refused registration of many of the societies. That I submit is not a fact. Whatever complaint there was, that has now been absolutely removed. There is no basis for what he said in his note in this respect and I strongly protest against its going into the proceedings.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, in bringing this debate to a close may I strike a personal note and assure the House that my feelings towards the Co-operative Department are those of strong personal attachment? It was in the year 1908 when I was a member of the Bengal Provincial Service and the Subdivisional Officer of Jamalpur in the district of Mymensingh that I came into personal contact with the officers of the Co-operative Department and got an insight into the working of the co-operative societies and I felt distinctly urged to take some part in that great movement for the amelioration of the condition of the peasantry in Bengal. At that time the rate of interest prevailing throughout Bengal, especially in the district of Mymensingh, was very high. It has been said that this movement has not been a success. All I can say is this: that although it may not have been a complete success, I am not prepared to accept that it has been a total failure.

If the district of Mymensingh when I was at Jamalpur a case arose of a very extraordinary kind of high rate of interest. A cultivator at a time of economic stress borrowed two seers of rice from a mahajan and executed a bond of Rs. 8 at a very high rate of interest—I forget the rate at the present moment—with monthly rests. At the end of 2 years 11 months it was found that the principal and the interest had gone up to about Rs. 1,200, and the mahajan mercifully gave up Rs. 200 and sued for Rs. 1,000 as the price of two seers of rice advanced about three years ago. This was not at all an isolated instance throughout that district. Investigation showed that there were high rates of interest prevailing and that was what led Government to take special measures for the introduction and organisation of co-operative societies in that district and other parts of Bengal. Sir, it is now so long ago that I gave up my service under Government and with it my connection with the Co-operative Department in 1912. It has been a most painful surprise to me to learn from many speakers that the Co-operative Department in Bengal has not only failed to give satisfaction but is at the present moment one of the departments of Government which has come in and is supposed to deserve the strongest condemnation. I do realize, Sir, that the movement is an extremely technical one and has not received that very careful nursing at the hands of those at the top which might have enabled the movement to develop on sound economic lines. But after all, the co-operative movement, as it is, is only a human institution and cannot be expected to be entirely free from human defects. In other countries where the co-operative movement has succeeded, the impulse has come from non-officials and in places like Italy, even Russia, Poland and other countries, Government has had absolutely nothing to do with the co-operative movement in the beginning; and all that the Governments of those countries have done is to render occasional assistance in the

way of giving advice, leaving it to the people themselves to work out the movement according to the needs and requirements of the people. I shall be revealing a secret when I tell this House that at the time when we began this movement in Bengal in the year 1906 we met the most organised opposition from all quarters, and it was not till the Act of 1904 was amended in the year 1912 that non-official help and assistance came forward to enable Government to lead the movement on satisfactory lines. Now, Sir, so far as the allegations of corruption, of misappropriation of funds and charges like those are concerned, I can only say that these allegations refer to the period prior to the assumption of office by the present Government; and although I will not take shelter under the plea that we are new-comers to the office, I am sure the House will realise that it is a somewhat painful task to be sitting in judgment over the failings of our predecessors. But, Sir, however painful that duty may be, we give this assurance to the House on behalf of the present Government, that we will not shirk our duty, but we want to be satisfied that a *prima facie* case has been made out for an enquiry. I am free to admit that the printed paper which has been circulated raises very grave issues, and I freely voice my personal obligations to Mr. Sibnath Banerjee and others who have taken so much pains in putting on record definite and specific cases which can certainly be enquired into in order to find out whether these allegations are well founded or not. The allegations are of a very serious character and if they are true, I will not hesitate to say that the present Government will take the strongest measures possible to bring to light the delinquencies of those who have been charged with the duty of administering the affairs of these co-operative societies (hear, hear). So far as I am concerned, I can say with a certain amount of legitimate pride that co-operative societies are nothing new to me, nor am I unacquainted with the intricacies of co-operative societies. I will personally look into the cases that have been mentioned; I will try to get further particulars from my friends and if a *prima facie* case has been made out, a Committee will certainly be appointed. It does not matter whether it reflects on the present or the past officers connected with the department. But at the present moment, as the Hon'ble Minister in charge has pointed out, it will be going too far to say that we ought to appoint, or to announce the appointment of, a Committee forthwith. The matter has got to be gone into very carefully, and it would be a very serious matter for the present Government to set up a Committee of Enquiry on the conduct of past officials of Government. But, as I have said, however unpleasant that duty may be, it will be faced and will not be shirked. Before, however, that extreme step is taken, we wish to look into the matter ourselves with the help of those who are in a position to give us help. If it is found that some kind of investigation has got to be made or a drastic step has got to be taken, it will be done. The House will also realise that the announcement of the

appointment of a Committee will shake the whole movement to its foundation; it will shatter the little credit which the co-operative societies still possess in the country if we here accept the allegations set out in this memorandum and contained in the speeches of hon'ble members and say that it has become necessary to appoint a Committee of Enquiry into the working of the department. It is for these reasons that I support the statement made by the Hon'ble Minister in charge that he will personally look into these affairs, and I give this additional guarantee that whatever little time I can spare, I will devote to this work of enquiry into the department, and, as I have said, I shall be no novice because I have spent a good part of my life as a servant of Government specially connected with the Department of Co-operative Societies, and I have got a knowledge sufficient to enable me to look into the technicalities of the working of co-operative societies. I hope, Sir, that with this assurance freely given and our acknowledgment of the service that has been rendered by the members during the course of the debate, I hope that my friends, the movers of the cut motions, will not press them to a division. It is at the present moment impossible for me to go any further than I have done; possibly, it may be necessary to overhaul the whole machinery of the department, but that will depend on investigation properly made. With this assurance, Sir, I hope that the hon'ble members will not press their motions to a division.

**Mr. ABDUL BARI:** Sir, in view of the assurance given by the Hon'ble Minister in charge and the very cordial statement made by the Hon'ble Chief Minister, I beg leave of the House to withdraw my motion.

The motion was by leave of the Assembly withdrawn.

The motion of Mr. Sibnath Banerjee that the grant of Rs. 13,81,000 be reduced by Rs. 100 was then put and lost.

The motion that a sum of Rs. 13,81,000 be granted for expenditure under the head "42—Co-operative (Credit)", was then put and agreed to.

#### "50 and 81—Civil Works."

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,19,04,000 be granted for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue."

Sir, I would not like to weary the House by placing before them the detailed allocations in the budget. I would only point out that except roads this department undertakes mostly works at the requisition of other departments. So when the cut motions on those departments are

discussed, the Ministers concerned would give replies to them. I do not want to dilate any further on the details at this stage.

**Dr. NALINAKSHA SANYAL:** Mr. Speaker, Sir, I beg to move that the demand made by my hon'ble friend the Minister in charge of the Department of Communications and Works be reduced by a sum of Rs. 100.

My original intention was to move this cut motion with a view to draw attention of this House to the inaction of Government in initiating various schemes and in particular to their failure to adopt on a sufficiently large scale measures for road development and construction of bridges in Bengal. Having however some little time given to the various figures supplied by the department I come to realise that the department is in such a state that it is not possible for me merely to confine myself to that aspect of the question and therefore I will beg your indulgence to cover a little wider field and I shall try to visualise the drawbacks of the department as a whole.

Mr. Speaker, Sir, the Public Works Department accounts for nearly 10·4 per cent. of the total revenue receipts of the province and it has been rather unfortunate that in years past we have not been able to discuss the Public Works Department budget sufficiently thoroughly. I would beg of you to give us a little more time for critically examining this big department that accounts for the heavy expenditure of more than one crore and 31 lakhs. The charges against the Public Works Department may be put in a nut-shell as follows: I know full well that I may not have time enough to dilate on all these points fully, and therefore I am putting before you the charges straightaway. I shall thereafter try to substantiate these charges one after another with facts and figures as far as time permits.

The first charge is that the divisions under the Public Works Department are thoroughly illogical and the areas allotted to the executive officers have no logic behind them. The second charge is that there is a thorough discrimination in the department against Indians, particularly in the superior posts. The third charge is that the administration is extremely top-heavy in its superior service organisation. Fourthly, there is all along an undue preference for civil building works, particularly for Government administrative departments, and there is a great amount of negligence noticeable for beneficent works, particularly for the construction of roads and bridges. Further, Sir, there is to be noticed a complete lack of initiative on the part of the Public Works Department in respect of new projects that go to strengthen the nation-building work of the country. Then again, Sir, there is always a tremendous amount of delay, sometimes to

a scandalous extent I might say, in respect to the preparation of estimates and in examination of projects and also in according what are known as technical sanctions. Moreover, when a project is sanctioned, even then there is considerable amount of delay in executing the work, and last but not the least, Sir, my charge is that the department, if not the whole of it, at least a substantial section of it, is open to the charge of jobbery and of nepotism, if not of corruption. Sir, these are serious charges indeed, and require proper investigation.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** May I know, Sir, on what cut motion Dr. Sanyal is speaking?

**Dr. NALINAKSHA SANYAL:** I am speaking on my motion No. 717, but my friend need not mind the cut motion. I have told you, Sir, at the beginning that although my intention originally was to confine myself to the inaction of Government, I propose to take up the entire department's work.

Sir, with regard to the first charge that the distributions of areas under divisions are illogical, I have handed over to my hon'ble friend the Minister in charge two rather biggish tables, one of which gives the provisions by divisions under "Original Works", "Repairs and Road Development Works," "Grants-in-aid" and "Establishments", and I have also given details about buildings and communications separately shown. I have also shown the totals allotted under each division as provided for in the budget, and the establishment that has to be maintained in each division as also the cost per cent. of this establishment to the total provision for each division. I desire that these tables should be taken as part of the proceedings, because I do not want to tire the House out by reading out long figures.\* I would only like to say that these tables point out definitely to two facts. One is that while the general average of expenditure on the total establishment of the whole province works out at 16.2 per cent. of the provisions, there are divisions where the establishment charges work out at no less than 24.7 per cent., at 33 per cent., and at 55.7 per cent., that is to say, while the total amount provided for works in a division is Rs. 52,000 only, the cost of maintaining the establishment alone is Rs. 29,000. The total amount provided for the Jalpaiguri Division for buildings and communications is Rs. 3,25,000 inclusive of all expenses, that is to say, on new buildings, on building repairs, on new roads and road repairs as well as grants-in-aid for district board and other operations and as against this the establishment charges work out at 33 per cent. The conclusion is obvious. Sir, the time has come when, in view of the altered circumstances of to-day it has been necessary to redistribute the areas allotted to divisions, and I feel very strongly

\*See Appendix on page 939.

that the Jalpaiguri Division can be safely amalgamated with the Rajshahi Division. Similarly, perhaps Dacca and Chittagong Divisions may be administered together, with some administrative arrangement having one or two senior Subdivisional Officers under one Executive Engineer administering certain kinds of work for both the divisions.

Sir, I also find that there are two Electrical Divisions, one of which should go because the expenses are terrible. Further, I find that the Governor's Estates cost about Rs. 65,000 on the maintenance of an officer of the Executive Engineer's position. I submit, Sir, that although we may not have vote on this particular item we may bring it to the notice of the proper authorities, that it is the desire of the House that this expenditure should be curtailed, for an officer of the grade of Assistant Engineer might very well manage the estates of His Excellency the Governor.

Sir, with regard to the second charge that there is discrimination against Indian officers, I have brought the necessary books on the History of Services of Gazetted Officers and I will take only two instances to show how Indian officers of great experience and of very long service are superseded by comparatively young officers recruited at first from Great Britain on contractual service and thereafter having given them some amount of extraordinary lifts confirmed in higher posts. One officer has been given five years' lift at once and appointed on an increased salary and has been given the opportunity of going up above the heads of many old and experienced Indian officers. Such things are going on with regard to the Indians in the service. I will mention a name or two in this connection.

**MR. SPEAKER:** Dr. Sanyal, I would request you not to mention names. I think this is not desirable in a Parliamentary debate. When you discuss the matter, instead of mentioning the names of officers you can refer to them as Mr. A, Mr. B, and so on.

**DR. NALINAKSHA SANYAL:** Thank you, Sir. I refrain from quoting the names as desired by you. In the third place, Sir, I like to say that there is top-heavy expenditure in the administration. I find from an analysis of the expenses provided under different heads that under "Chief Engineer" we have to provide an expenditure to the extent of Rs. 2 lakhs and 65 thousand. Similar is the provision under "Special Officers." For taking up new projects and new schemes we have to provide Rs. 2 lakhs and 38 thousand on these officers. For "Superintending Engineers" we have to provide another Rs. 2 lakhs 62 thousand and for "Executive Engineers and their staff" Rs. 10 lakhs 45 thousand. The amount of expenditure on the first three groups, namely, Chief Engineer, Special Officer and Superintending Engineers accounts for nearly 42 per cent. of the total on establishment, which

appears to me to be very much on the high side. This should be drastically reduced.

Sir, before I come straight on to the other and most important part of my complaints, that is, with regard to the delay in execution of work, I must note one thing. In other countries we look up to the public works expenditure as an index of public prosperity, but I find that so far as the beneficent works in this province are concerned under "Communications," there is only a small provision of about Rs. 29.75 lakhs, whereas for buildings we have a provision of more than Rs. 52 lakhs. We find on page 6 of the detailed budget estimate of the department that so far as new work not commenced are concerned, there is only Rs. 1 lakh and 47 thousand provided for communications and so far as buildings not commenced are concerned we have Rs. 12 lakhs 40 thousand provided. The total amount allotted for buildings and communications, including sums for original works and repairs, are Rs. 52 lakhs 32 thousand for buildings and Rs. 29 lakhs 79 thousand for communications. I submit, Sir, that the country cries for better communications and there should be now a definite policy for improved roads in Bengal, particularly in rural areas.

Sir, I now come to the next point, namely, the delay in the execution of the work. In proving this I will just give you a short list of projects which have been before the Government for a pretty long time. Some have been with them from 1930. Money has been allotted and sanctioned, but the projects could not be put through. I do not know who is responsible for this wonderful state of affairs, but I repeat what I said in the opening speech in criticising the budget generally, that if we cannot go into the whole question properly either the departmental head should go or the Hon'ble Minister in charge should retire. I say, Sir, these are the schemes: the replacement of Kunti Bridge in the 34th mile on the Grand Trunk Road. This project was approved in August, 1934, still preliminary works are not properly begun and there has been only an expenditure of Rs. 945 up to date.

We have the Rangram Bridge project, in the Murshidabad district which was first projected in 1933. The scheme has not yet received the final technical sanction of the department, although at one stage all necessary sanctions were given and the first sod was cut raising high hopes. We have the Damodar Bridge project. Much flash is made of the Damodar Bridge and the Hon'ble Minister in charge, before the present incumbent in office, took His Excellency the Governor there to lay the foundation stone. But even now I understand that the final preparation of the plan and estimates is not complete, although there has been a kind of sanction given in the past on which the Government of India was approached and they did not disapprove of the work.

These delays must primarily be the responsibility of the department which has not been able to put through the schemes. There are also

other schemes that have suffered great delay, of which I will just mention the names as I have scarcely any time to discuss in detail:—

Comilla-Mainamati-Barkatta-Daudhundi Road;  
Construction of Jhinkargacha Bridge on the Jessore-Caldcutta Road;  
Burdwan-Arambagh Road;  
Chittagong-Araçan Road;  
Tangail-Mymensingh Road;  
Sathkira--Navaran Road;  
Illambazar-Suri Road; and  
Ranaghat-Jaguli Road.

There are also schemes which have only recently been approved of after years and years of waiting:

the Cossye Bridge;  
the North Bengal Trunk Road from and to Dumajpur;  
improving Dum Dum-Cossipore Road;  
Duars Road from Rajahmukhawa;  
construction of further bridges on Tangail-Mymensingh Road; and  
improving the Grand Trunk Road, South.

There are still certain other schemes which are under consideration for a number of years and have not yet been sanctioned. I ask the Hon'ble Minister what explanation he has to give of the inordinate amount of delay which has led very often to the virtual lapse of amounts of money which the Government of India provided for this province. I will just now read out to you a list to show how much we have been lagging in this respect from 1930-31 to 1936-37. We have been given by the Government of India since the beginning of the Road Fund amounts to the tune of Rs. 1 crore 2 lakhs for road projects. Out of that we have so far been able to spend only Rs. 65 lakhs leaving a balance of Rs. 37.11 lakhs unspent. This year, as the Hon'ble Minister is aware, the Government of India has threatened that unless the Government of Bengal can get through the schemes they will not come forward with any contribution towards the Road Fund subvention. And they have further threatened that if this state of affairs continues for a pretty long period, the Government of India may be compelled to take the administration of roads construction themselves, or divert the money to other purposes. Such a state of affairs, Sir, cannot in any way be permitted to continue. Sir, I understand that the delay is primarily due to red-tapism which must stop. The red-tapism starts from the very beginning when projects are taken up; then red-tapism goes on in the form of invitation of opinion of local officials and local bodies. It goes up to the Railway Department then; and sometimes to the Railway Board. A preliminary approval is given by the department and then it goes to the Finance Department. Detailed estimates are prepared thereafter and after the Board of Communications gives the final approval, it goes to the Government of India.

The Government of India not only gives the final sanction but also approves the final allotment of funds. Then it goes to the Finance Department for allocation of funds and thereafter the scheme is put into execution. Tenders are then called and the question of acceptance of tenders is taken into consideration. At each of these stages there is an inordinate amount of delay, and my point is that there must be a thorough enquiry so that such delays can be avoided.

Mr. Speaker, Sir, there are difficulties also in the administration of the department. I am told that a Special Road Development Officer was appointed in November, 1934; that Special Road Development Officer is a very capable officer having had very wide experience in roads and bridges but unfortunately he did not or unfortunately does not get sufficient amount of patronage or co-operation from his departmental boss, who has, in addition to his duties grafted on him the work of a Superintending Engineer. The result is that from November, 1934, up to date we have not been able to get a report on the road problems of Bengal. I understand, that report is expected very soon, and thereafter I am also informed that this officer may be taking long leave, because he feels disgusted with the treatment he has been receiving from his departmental boss. These are departmental secretacies which I do not like to dilate much upon, but what I suggest is that these must be thoroughly enquired into. Sir, there is a Bridge Designer, a special officer, who was appointed at a time when he had practically no experience of bridges. He was appointed in November, 1934, but before that he was posted as a junior officer in some division and had never before designed or planned a bridge. Thereafter he has designed a few bridges with the help of certain big engineering firms such as Messrs. Burn & Co., but in the case of one or two bridges that this officer designed there has been disastrous results. Those bridges have been washed away. Thereafter this gentleman has designed the Damodar Bridge which involves no less than Rs. 30,00,000, but in view of the fact that this officer has had no previous experience Government should now see that big sums of money may not be left to be spent away on the recommendation of such an officer alone.

Then I come to the question of jobbery, nepotism and corruption in the department. I submit that I myself do not feel inclined to deal with specific cases nor would it be fair to do so, but if the Hon'ble Minister would give us an assurance that he would look into the matter, I shall give specific instances to him in future. I have heard of a case in which an overseer has been appointed, the selected candidate having had no engineering training, and this has been done on the recommendation of some high official. I submit this is nepotism of the worst type. This nepotism goes on also in another way. In the list of contractors maintained in each subdivision you will hardly find the name of a contractor of some repute, but you will find the names of persons and firms whom you hardly know. This has been going on,

Sir, year in and year out but how such a thing has possibly been made possible, God alone knows. I shall not refer to specific cases here. I must, however, say this much that this is a department which is capable of doing an immense good to the people, a department on which the very life and soul of our rural population depends because if we have production, that production cannot be marketed unless we have proper roads and other communications. As Lord Dalhousie said when he recommended the construction of railways, vast lands, vast sheets of territories are lying teeming with vegetation and production though they cannot find suitable avenues to the market. The result has been that there has been maintained a tremendous difference in the prices of food grains and other crops in the interior from those ruling in Calcutta. Such state of affairs in the rural areas should never be allowed to continue.

I crave your indulgence, Sir, to bring home to the Hon'ble Minister that the time has come when he should himself look more into the affairs of the department and give more money for roads, bridges and such other constructions as would go to benefit the people. There is only one item under "Buildings" the Daulatpur Agricultural College, which costs Rs. 1,50,000, which must be appreciated as desirable, but more money should have been provided for and spent on buildings like that and not on buildings like Collectors' bungalows and the Jails at Dum Dum and on electrification schemes for buildings of various Collectors and other officers.

**Mr. C. S. MACLAUCHLAN:** Mr. Speaker, Sir, I find myself in agreement with much of what the honourable member has just said, but I must oppose a motion which seeks to put the sins of a past Government on to the shoulders of the present. Also he proposes a cut of Rs. 100 and then in the course of his speech tells us that the department concerned has a bank balance of Rs. 50 lakhs; Rs. 100 is surely but a drop in the ocean of huge wealth. I must oppose him for his very timidity.

However, I intended to be critical—very critical. I am speaking on behalf of the European group,—a group representing a community of highly successful businessmen. There is something in the department which is abhorrent to the meanest business instinct. I am referring, Sir, to inefficiency and mismanagement. These may seem to be hard words, but these are all too easy to justify. At the same time I wish to make it abundantly clear that I point no finger of criticism at the Home Minister or at the present Government. The Hon'ble Minister in charge has not given us any reason for criticism yet, but being a popularly elected Minister he will doubtless be called upon to face the criticism of his popular electorate many a time and oft. Meantime I feel that the House should bow its head in sympathy for him at the legacy left from the old Government.

Sir, Bengal is given Rs. 13,00,000 per year to spend on Road Development—for capital expenditure on new roads and new bridges. The Rs. 50 lakhs lying dormant with the Department represents four years, accumulated wealth—your money, my money and the money of the people of Bengal, entrusted to that department on our behalf. That department, I submit, has failed in the trust placed in it. I trust that the Hon'ble Minister and the Cabinet of the new Government will see to it that such a trust will never again be misplaced. As my friend has said, schemes sanctioned as far back as 1930 are practically untouched; and schemes sanctioned in 1934 are quite untouched. One scheme in particular I would mention—the Comilla-Mainamati-Barkanta-Daudkandi Road. This project was approved in August, 1934, at a cost of Rs. 5,50,000, but the expenditure up to May of this year, 1937, is Rs. 22,465 only and the position of the work done to date is that "bricks have been collected." This represents three years' work on a sanctioned scheme! Does it represent efficiency?

I have with me a black list of eight projects similar to the one mentioned. I sincerely trust that by the time the Hon'ble Minister presents his next budget, no such black list will be available. If it is, I can promise the House that it will be read out for information and interest. Now, Sir, permit me to read out an extract from a note laid on the table at the meeting of the Board of Communications held on the 30th July, 1937:—

"The present unspent balance with this Government is about Rs. 50.28 lakhs including an expected allocation of Rs. 13.17 lakhs for the current financial year. With a view to utilise this balance at the earliest possible date, Government are very anxious that by the end of 1937-38 they should be in possession of technically-sanctioned projects costing much in excess of the accumulated balance either under construction or ready for execution. They have accordingly asked the Superintending Engineers to push on as rapidly as possible with all Road Fund projects which are in course of preparation, etc., etc."

This sudden burst of enthusiasm was brought about by pressure of public opinion. I submit, Sir, that such pressure should never have been required.

I shall conclude with two constructive suggestions. The first is that a Committee of this House be formed, made up of two members of each division and charged with the duty of investigating the cause or causes of delay and the inefficiency of the department and further charged with the duty of submitting by a specific date a report which, if acted upon, will make impossible a recurrence of such delays. Someone is or some people are at fault. It is not for me to say if at the top, the bottom or in the middle. On that the Committee I have suggested can investigate and report.

The second perhaps is even more important, as it deals neither with the past nor with the present but with the future. We know that an expert has actually drawn up a scheme of Road Development in Bengal. I have no reason to think that that scheme will not be unanimously accepted. But of what use is the finest scheme, drawn up by the finest expert if it is left in the hands of an inefficient department.

I suggest, Sir,—I particularly ask the House to give attention to this—that this Committee, which I have suggested, be further charged with the duty of investigating the desirability of forming a construction department within the department itself. That construction department to discharge one duty only spending—the economic spending—of the balance in hand of 50 lakhs of rupees, and the duty of spending the recurring annual amount of Rs. 13 lakhs on road development—road development meaning new roads and new bridges. I would like to repeat this part of my suggestion again: I wish this Committee which I have suggested to look into the desirability of forming a construction department within the parent department: that construction department to be charged with one duty only, viz., that of spending the Rs. 50 lakhs of balance which we have got to-day and the recurring 13 lakhs of rupees on new roads and new bridges in Bengal. Sir, this evening much has been said about road development, but it struck me some considerable time ago that with the words “road development” should be joined agricultural development, industrial development, social development, and a complete development of the province. Throughout the ages—from the days of the great Roman Empire—we have known that the country which has progressed is the country which has built good roads. If the suggestions that I have put forward are accepted, I feel that the 13 lakhs of rupees entrusted to this department as capital expenditure will be properly and economically spent and that one day, not far distant, every province in India will look to Bengal with something akin to jealousy for her network of good roads run by an efficient and businesslike department.

**Mr. IDRIS AHMED MIA:** Delivered his speech in Bengali of which the following is an English translation:—

Mr. Speaker, regarding my motion No. 734 I would like to suggest that the estimated expenditure of Rs. 1 crore and 19 lakhs under the head “Civil Works” should be reduced by 16 lakhs and 85 thousand rupees and the amount thus saved be spent on primary education in every district of Bengal. Out of the total income, as shown in the present budget, of Rs. 12 crores and 55 lakhs a sum of one crore and fifty-five lakhs ought to have been earmarked for this purpose. When that has not been done I demand that a sum of Rs. 45 lakhs—Rs. 28 lakhs out of the estimated surplus of Rs. 34 lakhs plus Rs. 17 lakhs by cutting down the amount estimated for extension of the High Court

buildings, erection of a Jail at Dum-Dum and other unimportant items of work—should be set apart for the spread of primary education in the province. Upon this Rs. 45 lakhs only the poor tenants and peasants and none else have any claim, for Bengal has this year obtained Rs. 45 lakhs more than in other years on account of the jute duty from the Government of India. I am of opinion that the entire sum of Rs. 2 crores and 23 lakhs received from the Government of India on account of jute duty should be spent on primary education. This sum is the product of very hard labour on the part of the jute cultivator in Bengal. It is certainly not impossible to reduce other expenses and make such a provision. If this is done, the poor tenants of Bengal will not have to pay an additional tax for education. If that is wholly impossible at present, is it not the duty of the Government of Bengal to spend at least the sum of Rs. 45 lakhs which they have received as a result of the increase in their share of the jute duty on the spread of primary education? There are some who hold that until primary schools are established in every locality of the province, an expenditure of Rs. 10 or Rs. 12 lakhs will do no good. Have these people ever seriously thought about the deplorable condition of the *pathsalas* in the mufassil and of the miseries and hardships of the unfortunate teachers of those *pathsalas*? Most of the houses where these *pathsalas* sit are in a dilapidated condition. There is practically no provision for seats for both teachers and the taught. There is ample provision for the study of geography in the syllabuses but the maps—if there be any—are all so worn out that the names of towns and villages in them cannot be read. The villagers are poor and so the pandits get almost nothing as fees from the students. If ever tuition fees are asked for, the students begin to absent themselves. So these pandits have to carry on their work almost without any remuneration. They have to depend on the sum of Rs. 2 or Rs. 3 they get from the district boards and this too is not received in time. Thus these pandits carry on their trade in torn clothes and with broken hearts. If anything is spent on ameliorating the lot of these pandits—and on improving the condition of the *pathsalas*—is that amount ill-spent? If this is a sin of extravagance, should expenditure under such unimportant heads as the extension of the High Court buildings—its lifts, latrines, etc.—be considered meritorious? You are constructing latrines for affording greater facilities to a few persons of the High Court to ease themselves, but what have you done for removing the dirt of ignorance of the 50 lakh children of the poor tenants of Bengal whose money you are spending on those items? If expenditure for spreading primary education be considered extravagance, one should like to know what the proper use of money is. There are many items in the budget estimate which may easily be put off without causing any harm. I am afraid this motion of mine will meet the fate of the poor deer and goats in the jaws of tigers and foxes in the jungles of 24-Parganas. I, however, warn the

class of tigers and jackals that if they go on hunting in this way, they too will soon die from starvation. For, when the race of deer and goats will be extinct in a few days, what will they feed themselves upon?

(The member having reached his time-limit was allowed another 5 minutes to finish his speech.)

What shall I say in 5 minutes? If I am granted at least 10 minutes' time I might say something (with this the member rose to speak again).

There are many items which may be curtailed without any harm and the sum thus saved may easily be given to primary education. A sum of one lakh and a half has been budgeted for electric installation at six places such as Asansol, Midnapore, Bankura, Krishnagar, Rajshahi and Khulna. Most of the rooms which are proposed to be filled with electric lights and fans are not generally used at night. A number of poor widows and boys earn their living by pulling the punkha in those court buildings. Henceforth they will be thrown out of employment. Their relatives and the helpless widowed mothers will heartily curse us. I am indeed very much afraid of this kind of curses by the poor. The Hon'ble Minister asked me whether or not I desired the progress of the electric light and fan business. My reply is in the negative. We do not want this until we have made satisfactory arrangement for the education and health of our poor countrymen. It is not I alone who hold such views. Why is Mahatma Gandhi, the greatest political figure in India, so partial to cottage industry? Big cloth mills deprive thousands of their means of livelihood but make only very few wealthy. A sum of sixty thousand rupees has been budgeted for constructing a new building at Alipore to house several offices and a lakh of rupees for building District Magistrate's quarters at Rangpur. The District Magistrate is not certainly living under the shade of trees and there would not be any the slightest inconvenience if the construction of the quarters were postponed yet for some time. Then a sum of one lakh and seventy five thousand rupees has been budgeted for raising buildings for our police masters. The estimated cost for purchasing a house for the Additional Police Superintendent of Midnapore is Rs. 13 thousand and new buildings to enable the Gurkha Police to live comfortably with their wives and children at Rangpur will cost Rs. 14,500. All these are very good. But I should like to ask what offence have the policemen of other districts committed that they should be denied the luxury of living with their wives and children? I do not grudge the Gurkha Police their comforts and convenience, but I want to know what arrangement has been made for the education of the illiterate and uneducated people of Bengal who supply the wherewithal for all this? After a lapse of 180 years Bengal has obtained full autonomy Government by the people is said to have come to the country. But not to speak of electric lights, is there even a kerosine lamp to illuminate the

'dark houses of the poor people? Some are there who argue that nothing can be done for primary education without a sum of Rs. 2 crores. When opportunity will come, we shall feed you with *pilau* and other rich things, till that time you must keep *chup* and go without food—such counsels no great man of any country ever gave. Where is the arrangement for *dal-bhat* of which our Hon'ble Chief Minister spoke during his election campaigns? Is it true that even at the cost of Rs. 10 or Rs. 15 lakhs no improvement can be effected in the matter of primary education in Bengal? I call upon the friends of my party to give an answer to this question. The money spent on education is certainly money spent in the best cause. I have a little experience as regards education. I spent the best part of my life—15 long years—in serving, very often without remuneration, as head master of a high school established by myself. My pupils number several hundreds and are now engaged as teachers in different parts of Bengal. Many again are sitting idle without any employment. If these people and other educated youths are called upon to make sacrifices for the cause of education, they will certainly not hesitate to respond to the call and agree to work for small and nominal salaries. We shall not start the work of primary education until we have in our hands crores of rupees—if you sit tight with such a mistaken notion—the poor children of Bengal will never have any education. I do neither believe nor support this policy. If, for my own district Malda, only one lakh of rupees is sanctioned I may arrange for the imparting of primary education in every village there. The majority of our Ministers are rich people. They have among them Nawabs, big zamindars, wealthy persons and merchants. They may overlook extravagant expenditure of lakhs of rupees, but what were our Hon'ble the Chief Minister, Messrs. Nausher Ali and Mukunda Behary doing. Many of the excuses put forth in the budget speech may be true, but is there any satisfactory explanation why even a humble scheme of primary education could not be thought out in the course of four months? The people of Bengal are on the verge of death. They have no time to listen to the advice that patience is golden. They want something now and immediately. We support the Ministry because we, the representatives of the poor tenants, are very much afraid of the troubles involved in dissolving and forming Ministries. If we cannot believe in this Ministry we must set up a new body. But Prajas cannot afford to lose the time that will be required in selecting and setting up the new Ministry. The poor tenants—they are dying—they are gasping—if anything should be done for them it must be done without a moment's delay—or it will be quite useless.

#### Adjournment.

The House was then adjourned till 3-30 p.m. on Friday, the 3rd September, 1937, at the Assembly House, Calcutta. c

## APPENDIX.\*

TABLE I.

## CIVIL WORKS BUDGET, 1937-38.

Showing Provisions by Divisions (in thousand Rupees).

Executive Division	Original Works.			Repairs.		Road Development Works—grants-in-aid.	Total of columns 4, 7 and 8	Establishment	Percentage of Establishments in the Division to total allotments.
	Buildings	Communi-cations	Total	Buildings	Communi-cations				
1	2	3	4	5	6	8	9	10	11
1. City	7.69	24	7.93	6.00	3.41	•	16.34	97	100 per cent.
2. Suburban	4.38	1.41	5.79	5.90	76	•	11.55	84	7
3. Darjeeling	32	3.83	4.15	69	3.35	•	8.10	1.08	13
4. Rajshahi	78	1.49	2.27	93	•	•	3.20	79	24.7
5. Jalpaiguri	16	5	21	1.07	1.97	•	3.25	1.07	33
6. Dacca	38	•	38	1.90	18	•	3.43	83	24
7. Chittagong	2.64	1.50	3.14	1.43	90	•	7.07	69	97
8. Bakerganj	2.75	50	3.25	1.29	40	•	3.73	78	9
9. Burdwan	44	1.39	1.83	1.43	2.50	•	9.16	85	9
10. Hiji	55	44	1.00	2.50	2.00	•	7.50	1.05	14
11. Western Electric	•	•	•	1.00	5	•	1.05	26	25
12. Eastern Electric	18	•	16	24	12	•	52	29	55.7
13. Reserve	4.68	33	5.01	25	2.21	•	7.47	26	Reserve
14. Governor's Estate	•	•	•	3.85	3.85	•	3.85	69	18
Total	24.84	11.18	36.02	27.48	18.57	11.70	93.77	10.45	•

\* Referred to in the speech delivered by Dr. Nalinaksha Sanyal, see page 928.

**APPENDIX.****Table II.****CIVIL WORKS EXPENSES, 1933-34 to 1937-38.**

*Showing sums provided for original works, repairs, grants-in-aid and establishments from 1933-34 to 1937-38 (in thousands of rupees).*

Year.	Original Works.			Repairs.			Grants-in-aid all kinds.	Total of columns 4, 7 and 8.	Establishment including all departments.
	Buildings.	Communications.	Total.	Buildings.	Communications.	Total.			
1	2	3	4	5	6	7	8	9	10
1933-34 ..	3,30	4,76	8,06			39,12	13,11	60,29	17,14
1934-35 ..	5,88	4,48	10,36			44,03	11,13	65,52	17,21
1935-36 ..	7,14	7,25	14,39	25,70	17,56	43,26	14,45	72,10	18,16
1936-37 ..	9,02	9,25	18,27	25,73	18,52	44,25	20,53	83,95	18,57
1937-38 ..	24,84	11,18	36,02	27,48	18,57	46,05	50,80	112,87	18,92

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of the Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday,  
the 3rd September, 1937, at 3-30 p.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.)  
in the Chair, the eleven Hon'ble Ministers and 210 members.

**STARRED QUESTIONS**

(to which oral answers were given)

**Pods and Poundrakshtriyas.**

\*92. Mr. NIKUNJA BEHARI MAITI: (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the Pods (as designated in the last Census Report) were called as Poundrakshtriyas in the Census Report of 1921?

(b) Will the Hon'ble Minister be pleased to give reasons for such change of designation?

(c) Is the Hon'ble Minister aware of the fact that a very great feeling of resentment prevails in their being called Pods?

(d) Will the Hon'ble Minister be pleased to see that the designation be changed from Pods to Poundrakshtriyas?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):** (a) No.

(b) Does not arise.

(c) No.

(d) No. The action proposed does not appear to be necessary.

Mr. PROMATHA RANJAN THAKUR: Is the Hon'ble Minister aware that the word "Pod" is insulting to the community?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. I am not aware.

**Mr. PROMATHA RANJAN THAKUR:** What is the harm in adopting the word "Poundrakshtriya"?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Government are prepared to consider the question.

**Mr. SYED JALALUDDIN KASHEMY:** Is the Government aware that in my district they are called Poundrakshtriya from a long time?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Government are not aware.

**A Member:** Is the Government aware that a considerable body of voters in the last Assembly election for Midnapore, South-East Constituency did not vote because they thought it derogatory on their part to be termed as Pods?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** Government have no information.

**A Member:** Will the Hon'ble Minister be pleased to consider the matter further?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** I have already stated that Government are quite prepared to consider the suggestion.

#### **Grievances of the people of Burdwan in canal area.**

**\*93. Mr. ADWAITA KUMAR MAJI:** Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state what steps the Government have taken to meet the demand and redress the grievances of the people of Burdwan in canal area?

**MINISTER in charge of COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Kasimbazar):** It has been decided to appoint a committee to inquire into the matter.

**"Pistia-removal" method.**

**\*94. Mr. SASANKA SEKHAR SANYAL:** (a) Is the Hon'ble Minister in charge of the Public Health (Local Self-Government) Department aware—

- (i) that a method of combating malaria known as the "pistia-removal" method has been adopted and worked for the last 8 or 9 years by municipalities, district and local boards and union boards extensively in the district of Murshidabad and to some extent in the districts of Birbhum, Malda and Bankura;
- (ii) that in some areas where the method of "pistia-removal" was applied, percentage of spleen and parasite came down from 87 and 95 to 11 and nil (figures are official) in course of two years;
- (iii) that the cost per head of this "pistia-removal" method is two and half annas as against Plasmodium method which costs one rupee per head as applied in Memari in Burdwan where the reduction in the percentage has been from 66 and 15 to 31 and 3½ (official figures) in course of two years; and
- (iv) that in some places where the "pistia-removal" method has been successfully worked, fever mortality and malarial diseases totally disappeared for several years?

(b) Is the Hon'ble Minister considering the desirability of adopting on a large scale all over the province this method of removal of "pistia" as a method of combating malaria and allied diseases?

(c) If the answer to (b) is in the negative, are the Government considering the desirability of issuing an official statement on the subject?

**MINISTER in charge of PUBLIC HEALTH and, LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Maulvi Syed Nausher Ali):** (a) (i) to (iii) A statement summarising the information furnished by the District Health Officers and District Officers of the districts concerned and the Director of Public Health, Bengal, is laid on the table.

(iv) I have no such information.

(b) No. The result of the investigations carried out by the Public Health Department in the experimental and "control" villages in the district of Murshidabad shows that the removal of "pistia," which is an aquatic weed, helps in reducing mosquito-breeding, and thus in bringing down the incidence of malaria; but the claim that "pistia"

alone is responsible for the causation and spread of malaria does not appear to have been substantiated.

(c) No.

*Statement referred to in the answer to clause (a) (i) to (iii) of  
starred question No. 94.*

The District Health Officer of Murshidabad advocates the combating of malaria by the removal of "pistia" from tanks, *dobas*, *khals* and other sources of water-supply. It is reported that in the district of Murshidabad, the District Board has conducted experiments in this direction at Lalgola for about 8 years, at Munigram for 5 years and at Gokarna for 4 years, that the Union Boards of Islampur, Udainagar and Gangapur have been carrying on "pistia removal" activities for 9, 3 and 3 years respectively, and that similar experiments have been carried out in the municipal towns of Berhampore and Jiaganj-Azimganj for the last 7 or 8 years and in Kyndi for the last 3 years.

The Bengal Public Health Department has kept a watch on the results of the experiment undertaken by the District Board in Murshidabad, and since the year 1933, has been carrying out a survey twice a year in two villages, namely, Gokarna and Munigram, which were selected by the Murshidabad District Board for this experiment. As a result of survey, it has been found that the spleen index of the village Munigram, which was 87.5 in July, 1933, before the removal of "pistia", has, after its removal, come down to 11.7 in June, 1937. Similarly, the parasite index, that is, the percentage of children showing malarial parasites in their blood in the same experimental village, Munigram, came down from 95 in July, 1933, to .095 in June, 1937.

Observations have also been made in two adjoining villages, where removal of "pistia" was not carried out, for the purpose of comparison and checking of the results of the experiment. It is reported that in one of such "control" villages, namely, Laharpara, where "pistia" grows in abundance, the spleen index also came down from 24.1 in July, 1933, to *nil* in June, 1937. Similarly, there was a corresponding reduction in the parasite index from 45 in July, 1933, to *nil* in June, 1937.

Thus, from the result obtained, there is no doubt that the incidence of malaria has been reduced in the experimental villages, but the reduction has been equal, or even greater, in the "control" villages where "pistia" has been left intact.

In Murshidabad, the cost per head is reported to have been 2½ annas in the experimental areas, and 1 pie in other places. In the town of Murshidabad, the cost is reported to have been a little over 1 pie per head.

The cost of treatment by quinine and Plasmochin in the Memari thana of the Burdwan district has been 3 annas per capita of population for drugs and 6 annas 6 pies for the staff employed for treatment.

2. In the district of Bankura, the experiment of combating malaria by the removal of "pistia" was taken up by the District Board in the villages of Onda Union since the year 1932, and the Bankura Municipality has been conducting an experiment since the year 1934.

It is claimed that there has been a substantial reduction of malaria in places where this experiment has been tried, but in the absence of any "control" work and scientific investigation, it is not possible for the Public Health Department to form any opinion about the results claimed to have been achieved.

In Bankura, the cost per head varied from Re. 1-3 in 1932 to 8 annas in 1936, while the Bankura Municipality has reported that the cost has been 1/10th of a pie to 1/5th of a pie.

3. In the district of Birbhum, it is reported that "pistia-removal" activities have been carried on by the District Board and by some of the Union Boards on an experimental basis since the year 1932-33 and that very good results have been obtained. The number of villages where such activities were conducted was 17, and the area covered by the experiment was about 10 square miles.

It is claimed that there has been a substantial reduction of malaria in places where this new method of combating the scourge has been tried, but as in the case of Bankura, owing to the absence of any "control" work, it is not possible to form any final opinion about the results obtained.

In Birbhum, the average cost per head has been reported to be 2 annas 3 pies.

4. The experiment was not tried anywhere in the district of Malda.

**Mr. SASANKA SEKHAR SANYAL:** In view of answer (b), is the Government prepared to carry on the experiment in other areas at Government cost?

**The Hon'ble Maulvi SYED NAUSHER ALI:** The result does not justify further experiments.

**Mr. SASANKA SEKHAR SANYAL:** In view of the answer given by the Hon'ble Minister, may I enquire if the Hon'ble Minister will consider the question of carrying the experiment to a point when it will be safe for him to say one way or the other?

**The Hon'ble Maulvi SYED NAUSHER ALI:** The answer given in (b) clearly indicates that it being an aquatic weed, it is likely to

reduce mosquito-breeding and consequently it is one of the causes that is perhaps contributing to the spread of malaria. But malaria as a whole has got to be tackled and simply pistia removal will not, in the opinion of experts as also from the results of experiment, lead to any special results.

**Mr. SASANKA SEKHAR SANYAL:** Is the Hon'ble Minister aware that in exactly those areas where Dr. Bentley's scheme has failed this scheme has succeeded?

**The Hon'ble Maulvi SYED NAUSHER ALI:** As I have already stated, the result do not show success in the sense in which the hon'ble member means to take it.

**Maulvi ABDUL BARI:** Is the Hon'ble Minister aware that the pistia removal method and Plasmochin method were tried simultaneously in the Jangipur subdivision and that while the former was a success the latter was a failure?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I am not aware of the results achieved at Jangipur, but it is clear that pistia removal has not given results as stated by the hon'ble member.

**Dr. NALINAKSHA SANYAL:** Has the Department of Public Health made any extensive investigation in this connection?

**The Hon'ble Maulvi SYED NAUSHER ALI:** As far as I am aware, experiments were made in those two villages and also in some other villages but I am not sure.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister aware that a few years back when the Malaria Commission came to Bengal, the Health Officer of the District Board of Murshidabad placed before the Commission his scheme of pistia removal and demonstrated to their satisfaction that this scheme would be more successful than Dr. Bentley's scheme?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I am not aware.

**Mr. SASANKA SEKHAR SANYAL:** Is it not a fact that while Dr. Bentley's scheme proved to be a failure, this scheme has proved to be a success?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I am not aware, Sir.

## UNSTARRED QUESTIONS

(to which answers were laid on the table)

## Appointments to the Bengal Civil Service (Judicial).

**67. Mr. ABDULLA-AL MAHMOOD:** (a) Will the Hon'ble Minister in charge of the Judicial and Legislative (Judicial) Department be pleased to lay on the table a statement showing for the Presidency of Bengal the number of Hindu and Muhammadan officers in the rank of—

(i) Subordinate Judges; and

(ii) Munsifs?

(b) Will the Hon'ble Minister be pleased to state the proportion of the total number of appointments in each of the services mentioned above reserved for duly qualified Muhammadans?

(c) Will the Hon'ble Minister be also pleased to state—

(i) whether the rules regarding the proportionate number of appointments for Muhammadans have not been observed; and

(ii) the steps proposed to be taken by Government to see that the rules are strictly observed in all the departments?

**MINISTER in charge of JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur):** (a) A statement is laid on the table.

(b) There were previously no orders of Government fixing communal percentage regarding number of appointments to the Bengal Civil Service (Judicial).

(c) (i) Does not arise.

(ii) Rules to regulate communal proportion for these appointments as required by section 255 (2) of the Government of India Act are under preparation.

*Statement referred to in the reply to clause (a) of unstarred question*

*No. 67.*

(i) Subordinate Judges ... 1 out of 53.

(ii) Munsifs ... 66 out of 290.

**Mr. ABDUL-A-AL MAHMOOD:** How long will the Government take to fix the communal proportions for these appointments?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** It will be done before the next appointments are made.

**A Member:** Has any proportion been fixed with regard to these appointments?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** It has not yet been done, Sir.

**A Member:** May I know when the next appointments are going to be made?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** Probably in the months of February and March next.

#### Process-servers.

**68. Maulvi MUHAMMAD ISHAQUE:** (a) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state if it is a fact that—

- (i) the process-servers have been supplied with badges with the inscription of "Process-servers" on them;
- (ii) the process-servers are referred to as such in the High Court circulars; and
- (iii) the Association of the Process-servers of Bengal has been recognised as "The Bengal Process-servers" Central Association?

(b) If the answers to clause (a) are in the affirmative, will the Hon'ble Minister be pleased to state the reasons why these process-servers are named as *peons*, *padatiks* or *peyadaks* in the forms of summons, notices and their diaries and receipts?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** (a) (i) Yes.

(ii) The terms "process-server" and "peon" and "process-serving peon" are all employed.

(iii) Yes.

(b) The term used in section 20 of the Court Fees Act, 1870, is "peon". The term used in Form No. 11, being the form of return

under order 5, rule 18 of the Civil Procedure Code as substituted by the Calcutta High Court in 1928 is "process-server". The term used in Chapter VIII of Civil Rules and Orders is "process-serving peon". "Padatik" and "Peada" appear to be used as vernacular variations and equivalents of "peon". All these terms seem to have reference to the fact that these officers do most of their work on foot. They are in fact the infantry or "foot-sloggers" of Government.

**Directions issued by the District Magistrate of Murshidabad for filling up ministerial appointments from the members of the scheduled castes.**

**69. Mr. KIRIT BHUSAN DAS:** (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state if any directions have been issued to the District Magistrate of Murshidabad for filling up ministerial appointments from members of the scheduled castes?

(b) If the answer to clause (a) is in the affirmative, what are the directions?

(c) If the answer to clause (a) is in the negative, are the Government considering the desirability of taking early steps for recruitment from the members of the scheduled castes when filling up vacancies?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** (a) Yes.

(b) The instructions are that 15 per cent. of the total number of vacancies should be filled up by members of the minority communities and backward classes.

(c) Does not arise.

**Mr. KIRIT BHUSAN DAS:** Is there any distinction between the scheduled castes and backward classes?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Some of the scheduled castes are included in backward classes.

**Maulvi ABDUL BARI:** With reference to the answer to question (b), has any direction been given to the District Magistrate of Murshidabad to fix the percentage of appointments for Muhammadans?

**Mr. SPEAKER:** That question does not arise out of the main question.

**Mr. RASIK LAL BISWAS:** How much has been reserved for backward classes and how much for minority communities?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** There is no separate reservations for backward classes and minority communities in all the districts.

**Dr. NALINAKSHA SANYAL:** What are the communities under the term 'minority communities' and what are the castes under the term 'backward classes'?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I want notice.

**Mr. RASIK LAL BISWAS:** Are the backward classes the same as the scheduled castes?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** No, Sir. They are not identical. There are certain backward classes which are classed as scheduled castes and there are others who are not.

**Mr. RASIK LAL BISWAS:** What are the names of the communities which are termed as minority communities?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** The 'backward classes and the scheduled castes.

#### **Grant to the Khulna District Board for Test Relief Works.**

**70. Babu PATIRAM ROY:** (a) Is the Hon'ble Minister in charge of the Revenue Department aware that the Khulna District Board spent Rs. 40,000 last year for Test Relief Works during the famine that broke out in the police-stations Kaliganj, Shyamnagar and Assasuni in the Satkhira subdivision and in the Paikgacha police-station in the Sadar subdivision?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state if the information that Rs. 20,000 only have been sanctioned by the Government in the present Budget as a grant to the Khulna District Board is true?

(c) If the answer to (b) is in the negative, will the Hon'ble Minister be pleased to state what amount will be sanctioned for the purpose as a grant to the Khulna District Board?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** (a) Yes.

(b) No. The question of a grant to the District Board towards the cost of test works is still under the consideration of Government.

(c) Does not arise.

**Mr. SYED JALALUDDIN HASHEMY:** May we have the approximate time when the grant of Rs. 20,000 will be sanctioned?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** First of all, I must say that it is not Rs. 20,000. As to the approximate time, it is difficult for me to say within what time Government will come to a decision.

**Mr. SYED JALALUDDIN HASHEMY:** Is the Hon'ble Minister aware of the fact that the District Board of Khulna spent the amount in question on the clear understanding that certain percentage of the amount will be granted by Government?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** No, Sir, that is not my information.

**River Brahmaputra, known as Jamuna.**

**71. Mr. CHARU CHANDRA ROY:** (a) Is the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department aware—

(i) that as a result of gradual silting up of the bed, the river Brahmaputra, known as Jamuna, cannot carry down the volume of water that passes through it during the rains; and

(ii) that the bordering districts and subdivisions are subjected to visitations of untimely flood, every year causing damage to agricultural crops?

(b) If the answers to clause (a) are in the affirmative, will the Hon'ble Minister be pleased to state the steps proposed to be taken in the matter?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**

(a) (i) I have no information that the river Brahmaputra is gradually silting up. There is no sign of deterioration of the river and it is navigable by steamers even in the low water season.

(ii) The river spills during the rains over the banks as is usual with all healthy rivers in a deltaic area. Crops suffer to a certain extent if the floods occur early in the season before the crops are high; as also when the floods are abnormally high. But as a compensating advantage, the area subject to the river spill is comparatively healthy and the soil is more productive than in other areas.

(b) It is not desirable to prevent this river spill by putting up embankments.

**Mr. CHARU CHANDRA ROY:** Is it not a fact that excessive floods in the deltaic areas are due to the cause of silting up of the river?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** It may be to some extent.

**Mr. JOGESH CHANDRA GUPTA:** Is the Hon'ble Minister considering the desirability of obtaining accurate reports as to whether the level is going up, contributing to heavy floods or whether the river is at its previous level?

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** No, Sir.

#### Regarding a Short-notice question.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I am prepared to answer the short-notice question put by Khan Bahadur Hashem Ali Khan if you have no objection.

**Mr. SPEAKER:** Has the answer been placed on the table?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** No, Sir. But the answer is ready and I can read it out.

**Mr. SPEAKER:** But I find Khan Bahadur Hashem Ali Khan is not present in the Chamber to put the question. In the circumstances the question may be answered at a subsequent meeting.

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir. Even if a member is not present to put his short-notice question, is it not permissible to the Hon'ble Minister concerned to answer it if he thinks that in the public interest it has to be given.

**Mr. SPEAKER:** As I have already said if the member concerned is not present, then what I propose to do is to get the answer from the department concerned and put the answer and the question on the table. But if the Hon'ble Minister says that it is of such importance that it requires to be answered orally, I am prepared to allow it to be put at any time.

### Regarding adjournment motions.

**Mr. SPEAKER:** I would now take up the Civil Works Budget and I call upon Khan Bahadur Maulvi Fazlul Quadir to speak.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have received information that two adjournment motions have been tabled regarding the Government orders closing the Rajshahi College, but I do not know if these motions are going to be moved.

**Mr. SURENDRA MOHAN MAITRA:** I would not move the adjournment motion if the Hon'ble the Chief Minister would make a statement that the College will be opened very soon.

**Mr. SPEAKER:** I think for the time being that question does not arise. I had already given my consent to the adjournment motion. You know perfectly well, Mr. Maitra, that you should have risen up for formal permission of the House after the questions were over. As a matter of fact I waited for sometime to see what you proposed to do, but I found that you had not come to a definite decision on the point. Therefore, I called upon Khan Bahadur Maulvi Fazlul Quadir to speak. I am afraid the question of a statement from the Hon'ble the Chief Minister does not at all arise.

**Mr. SURENDRA MOHAN MAITRA:** In that case may I have your leave to move it to-morrow?

**Mr. SPEAKER:** But you must bear in mind that an adjournment motion is of such a character that it brooks no delay and that accordingly it is difficult now to say whether it would be possible for me to agree to its motion to-morrow.

## THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

### DEMAND FOR GRANT.

#### 50 and 81—Civil Works.

**Khan Bahadur Maulvi FAZLUL QUADIR:** The Budget shows that no provision has been made for providing Sadar Sub-Registrars with quarters. Out of 383 offices, 251 offices are held in rented houses for which Government is paying Rs. 47,000 as annual rent. These

offices are in a most miserable condition. It appears from the Registration Budget that there is a surplus of Rs. 5,19,000 but still there is no provision for accommodation of Sub-Registry Offices. In this connection I should like to refer to the speech of Kazi Emdadul Haque of 18th March, 1931, in the old Council. He said as follows:—

I have seen with my own eyes some of the Sub-Registry Offices in Rangpur and I do not know whether that state of things prevails everywhere but in my district the Sub-Registry Offices are located in rented houses and those houses are miserable beyond description. The houses are made of slanting bamboos with straw roofs and often kept erect with slanting bamboo props. It is really a disgrace on the part of Government that they should allow their offices to be located in such rented houses.

In reply to this the then Hon'ble Minister for Registration said:—

A complaint has been made by Kazi Emdadul Haque about the nature of the buildings in which the Sub-Registry Offices are located and I must admit that it is to a large extent correct. We are very much concerned about this matter. The Sub-Registry Offices are located in buildings which are really in a very bad condition. We have obtained administrative approval to 67 schemes but unfortunately, owing to financial stringency it has not been possible to find funds for them in the Budget. I fully realise that the present condition is very unsatisfactory.

Even, now, Sir, after six years of the statement made by the then Minister for Education, no provision has been made for the construction of Sub-Registry Offices. There are strange things in the Registration Department. In some places there are some Government office buildings and quarters for Sub-Registrars but no place for clerks, muharrirs, peons, to live in and even they are not allowed to build their own houses on Public Works Department land. Zamindars and mahajans construct houses and make accommodation for their officers. But in this case officers of Government who are doing much for the rural uplift are being neglected. The Sub-Registrars as representatives of Government live in villages and they command respect from the public. But they are located in the bazar just like shopkeepers and placed in a disgraceful condition. In some cases I have seen their offices being located in the bazar just like shops. I would therefore urge upon Government and the Minister in charge of Civil Works to provide them with suitable offices and I would request him to earmark at least one lakh of rupees for the construction of buildings for Sub-Registrars, clerks and muharrirs. If gradually buildings are constructed for quarters of Sub-Registrars, Government will get 7½ per cent. from their salary which will come to about Rs. 54,000 over and above Rs. 47,000 now spent as rents. The total savings would, therefore, come to about a lakh of rupees. I therefore urge upon the

Government to invest money for the construction of buildings as quarters for Sub-Registrars and their staffs.

**Mr. SPEAKER:** I propose to ask the Hon'ble Minister to reply at about 4-20 p.m., because I think in that case the debate will be sufficiently gone into, unless the Leader of the Opposition and the Leader of the House want that it should continue further.

(No objection was raised.)

**Mr. ABDUL KARIM:** I rise to take part in the discussion in order to point out one glaring defect not as yet mentioned by any of the members in the administration of the Public Works Department and that concerns the nature of the estimates prepared for civil works, the corrupt practices carried on by subordinate officers of the Executive Engineers' offices. Many of us know that in the preparation of estimates, the needs and requirements of different projects are generally overestimated by the department. The rates of payment are too high, much above the market price of articles. The rates are much more than those available in the market so far as purchases by private individuals are concerned. I would have less to say if the framers of the estimates did so only with the intention of providing, if I am permitted to use the word of Hon'ble Nawab Musharruff Hossain "a gentlemanly" profit for contractors. But the case is otherwise. It is an open secret that the contractors have got to pay a certain percentage of the amount sanctioned to the subordinate staff. Even in some cases special rates are fixed for payments to higher officers. That requires the preparation of estimates at unusually high rates and that is why new contractors offering lower tenders cannot secure jobs on the plea of so-called inefficiency. If Government do really desire to improve the administration, I submit lower tenders should not be refused without sufficient reason and that a particular set of contractors must not be patronised to the exclusion of others. I do not know whether the Hon'ble Minister is familiar with the interpretation of the term P. W. D. which according to some is a public waste department and according to others a department for plunder without detection. I do not think we can expect any better things even in the new order of the administration if this procedure of patronising a selected set of contractors continues. But if this is done away with, the corruptions complained of will cease to exist. That will also do away with the necessity of framing estimates at unnecessarily high rates. If the department can put a stop to this malpractice it will also bring us a good saving out of the amounts allotted for civil works and that surplus can be utilised for other nation-building departments for which we have had enough of discussions on the floor of this House. May I hope that the defects complained of will be a thing of the past under the new régime of the popular Ministers of an autonomous Bengal?

**MR. SHAH, ABDUR RAUF:** I had no mind to speak on this motion, but I do so in support of certain comments which have been hit upon by Mr. Abdul Karim. As the Vice-Chairman of a District Board, I can say from personal experience that a considerable amount can be saved if the rates are lowered after proper investigation. I submit, Sir, the rates sanctioned by the Public Works Department should not exceed the prevailing market rates. For instance, when a labourer can be had for eight annas a day, we find that the Public Works Department rate is fixed at 12 annas or 14 annas or even one rupee. One curious point is this: I want to point out that when the District Board of Rangpur tried to reduce the rate they were told that they could not do so unless it was sanctioned by the Superintending Engineer. That is a funny matter indeed. Although the rate can be changed for the benefit of the District Board, still because the Superintending Engineer and the Executive Engineer stood in the way this could not be done. If the District Boards change their rates, then the Executive Engineer would also have to change his rates. I submit respectfully that if a careful investigation is made as regards the rate, a considerable amount of money could very well be saved and that money could be otherwise utilised. I am thankful to our friend Miss Mira Dutta Gupta for reminding me that for the residence of the Collector of Rangpur a sum of Rs. 60,000 has been provided. So far as I know, only 10 per cent. is deducted as rent from the pay of Government officials who are given the privilege of Government quarters. Now, taking the average pay of a Collector to be Rs. 1,500 a month, the house rent comes to only Rs. 150, and for that Rs. 150 it is an unwise policy to spend Rs. 60,000. We have some idea of the cost of a building in mufassal. We can build a palace for Rs. 60,000 there. Therefore I appeal to the Hon'ble Minister in charge to see that such huge sums are not spent on these buildings.

Our friend Miss Mira Dutta Gupta brought to the notice of the House the question of a lift in the High Court building. I am not opposed to it. Lifts are required but my only point is that all public works should be done with as little a cost as possible. Therefore I hope that after this discussion the Hon'ble Minister in charge of the Department will kindly issue orders for the reduction of the rate in the light of the present market rate.

**MR. SURENDRA MOHAN MAITRA:** After the masterly speech of Dr. Nalinaksha Sanyal I do not think I can make any very useful contribution to the discussion. So I will confine myself to some local needs of my own constituency. The road between Mymensingh and Tangail is going on in such a way that it would take long long years to be completed. But one who knows the situation of the Tangail subdivision will certainly admit that this road must be completed at the earliest opportunity, because the Tangail subdivision is isolated from the world and it is very difficult to approach this subdivision without

spending an inordinate time to reach it. Then in the matter of the distribution of the motor tax I find that many of the districts of North Bengal have not got contribution up till now except perhaps Pabna and Jalpaiguri, though the Special Officer of the Road Board made certain recommendations regarding certain roads in some districts, especially in Rajshahi. As regards the North Bengal highway, I do not know when it will be opened, whether it will be during our life time or not. But it is a very important road. I appeal to the Hon'ble Minister that without succumbing to the inertia of the department, he will rise up and enliven some new spirit into his department so that these very urgent needs of several districts will be met as soon as possible.

Then as regards the electrification, I find that Jalpaiguri is very much lucky. The reason is not far to seek, because there are the Commissioners and the European planters there. There are several districts in North Bengal where there are electrification, but the Government buildings or the Government institutions have not been electrified. In my district I know that estimate was made last year or some time ago, but no effect has been given yet. It is well known, Sir, that there is a big college and school and other public institutions where these things are very necessary. Of course the college is now closed, I do not know for how long. These are the grievances which I put before the House.

Then I find that bridges are constructed in other parts of Bengal, but North Bengal is neglected in this respect. I hope that if the Hon'ble Minister who has got some property in Malda once cares to go there especially during the rainy season, he will find how difficult it is to reach that place. The headquarters of the district has not been connected with any bridge over the Mohananga. The people of Malda have been crying for it and made several representations and even approached His Excellency the Governor, but no hope was held out to them. I cannot lay too much stress upon the desirability of having this bridge. This is a very important bridge which ought to be taken up without further delay.

With these words I once more appeal to the Hon'ble Minister in charge that without relying too much upon the departmental recommendations he will look to the needs of the different places and distribute money accordingly.

**Mr. NIKUNJA BEHARI MAITI:** I thank you for allowing me to speak about the working of the Public Works Department in the rural areas such as my constituency of Midnapore south-east. In that constituency there is a canal called the Hijli tidal canal with its continuation in the remotest part of Orissa, namely, Orissa Coast Canal. That canal was excavated during the sixties of the last century for the purpose of bringing out food grains from Orissa and other

neighbouring districts and importing British goods into the remotest parts. Now, that design is completely fulfilled, but the result of the excavation has been disastrous so far as the southern portion of the district of Midnapore is concerned. The rivers and khals in my constituency take their course from north-west and flow down south-west to the sea. Now, Sir, this canal goes parallel to the mouth of the river Hooghly, that is, from north to west. The result is that both rivers and khals have got their courses impeded and in course of time choked. Of the two rivers that are left, namely, Rasulpur and Haldi are unable to carry down the volumes of water that come down from the upland in the north-west and often burst out and cause serious floods. As a matter of fact during the last 30 years there have been no less than nine floods causing immense harm to the people.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** May I ask what has this motion got to do with floods and canals? This is a matter for the Irrigation Department.

**MR. NIKUNJA, BEHARI MAITI:** Now, these serious floods cause great harm to the people. In the olden days when the canal was not excavated the rain water from upland took away all the accumulated dirt and nuisance from the face of the land and rushed to the sea. The result was that the health of the people was good and the rich layer of silt that fell on the surface of the land was very helpful in producing good crops. But the result of the excavation of this canal has been firstly that the physique of the people and secondly yields of crops have both deteriorate. Officials have been approached, petitions have been made and some ten years back the Chief Engineer, Mr. Addams-Williams went there and saw for himself the state of things prevailing there, but no tangible result came out of them.

What is wanted is that a number of sluices should be made along the banks of the canal and the embankments beside the rivers and a number of cuts should be made along the District Board, Local Board and village roads, so that the water from the high land may go to the sea without any unnecessary delay and impediment. If that is done then, with the minimum cost we can have a place which will be fertile and the inhabitants thereof happy as crops will grow in abundance. I can say from my experience that these impediments to the natural flow of water by bundhs, or embankments or bridges and such like things have caused immense harm to the people. Bengal of to-day is not what it was 50 or 60 years back. I therefore request the Hon'ble Minister and his department to take the people into their confidence. In this respect I have one humble suggestion to make.

and that is that the officers for the Public Works Department who do not take outside people into their confidence should do so now.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:** Public Works Department has nothing to do with canals and rivers. Those are the concern of the Irrigation Department.

**Mr. NIKUNJA BEHARI MAITI:** If the people are taken into the confidence of the departmental officers and if the suggestions made by them are accepted, it is hoped that these water-logged areas which cause such an anxiety to the people of Bengal will become fertile and healthy.

(Here the member, having reached the time-limit, resumed his seat.)

**Al-Haj Maulana Dr. SANAUULLAH:** In this connection, I want to draw the attention of the Hon'ble Minister to the two roads in the district of Chittagong: first the Chittagong-Rangamati Trunk Road and the second the feeder road connecting Ranggarh, one of the most important subdivisions of the Chittagong Hill Tracts with Chittagong proper. These two roads are of vital importance to the inhabitants concerned, because they are the arteries of trade, especially of agricultural products and forest produce. I think as soon as the work of the construction of the Chittagong-Araikan Road is completed, the department might profitably take up the construction of the Chittagong-Rangamati Road. The condition of these two roads at present is very bad and the construction of a bridge over the river Halda at Sharta Ghat on the Chittagong-Rangamati Road is a crying need of the day. The people concerned have been trying their level best for about a decade, to have it constructed; and there is already a scheme under the consideration of the Government. But although I have put some questions on the subject, I have not been as yet favoured with any reply, so I do not know at what stage that scheme is at present. We have already put before the Hon'ble Minister in charge all the facts and figures regarding these roads as well as other roads in the district of Chittagong. Recently, a deputation composed of almost all the members coming from Chittagong waited on the Hon'ble Minister in charge of the Department of Communications and Works and this is nothing but a fresh reminder. I would therefore request the Hon'ble Minister once again to look into the matter.

The House was then adjourned for 15 minutes for prayer.

*After adjournment.*

**Mr. SYED JALAUDDIN HASHEMY:** Mr. Speaker, only to justify my existence in this House as a representative of Satkhira, I

want to make one simple observation in connection with the policy of road construction in Bengal. I regret very much to say that in my subdivision there is no communication by rail. Unfortunately, we could not create any such political situation which might have made Government to open railway communication in my subdivision. After constitutional agitation covering a period of more than 50 years only the other day one simple road was sanctioned from Navaran to Satkhira. I also expressed my regret to the Hon'ble Minister that I noticed considerable agility in constructing that road before the general election of the Bengal Legislative Assembly. Perhaps, to discredit me in this House the work on that road which was going on very quickly was stopped just before the general election. I have nothing more to say, but considering the condition of my subdivision I would appeal to the Hon'ble Minister to go on with the work as early as possible for the simple reason that it is a necessity. Year before last an amount of Rs. 5 lakhs was granted for the construction of roads. I am afraid the money still remains unspent and a further sum—I have not seen the budget figure—has been possibly granted for the construction of the road in question. Once more I would appeal to the Hon'ble Minister to look into the file and to pass necessary order for the construction of the road in question.

With these few words, I support the cut motion.

**The Hon'ble Mr. NALINI RANJAN SARKER:** Sir, I have listened with great interest to the debate that has been initiated in connection with this demand. The specific matters which have been raised in this debate will be dealt with on behalf of the Government by the Hon'ble Minister in charge of the Department. Sir, I want your indulgence to make a few general observations. I personally feel that there is much scope for improvement in the administration of the Public Works Department, particularly in the matter of specification for the Government buildings, and in the matter of rates for construction, securing in both more efficiency and less cost. But I think the picture has been a little overdrawn by Dr. Sanyal who has initiated this debate and the other speakers who have said that this is the most top-heavy department in the whole administration. So far as the matter goes, I find on enquiry that it is as top-heavy as other departments not only of this province but of all other provinces also. I have tried to ascertain some facts and figures to see whether our Public Works Department is more or less top-heavy than it is in other provinces. In Bengal there are two Chief Engineers, in Bombay and Madras also there are two Chief Engineers, in the United Provinces there are four Chief Engineers. The salary of the Chief Engineers in this province is Rs. 2,750 to Rs. 3,000; the same is the case in Bombay as also in Madras. Then as regards

Superintending Engineers, we have 7, Bombay 9, Madras 8 and the United Provinces 14. Then as regards the Executive Engineers, our number is 15, Bombay 54, Madras 32 and the United Provinces 51. As regards the Assistant Executive Engineers, ours are 11, Bombay 12, Madras 17 and the United Provinces 15. Then, as regards Assistant Engineers, this province has got 64, Bombay 98, Madras 95 and the United Provinces 104. The rates of salaries also in our province mostly are lower than those in other provinces; but by this I do not mean that there is no room for improvement; as in other departments of this Government we shall institute an enquiry whether further improvement can be made in the matter of retrenchment or not in due time, as I have assured this House in connection with the debate on general administration. (Mr. ABULLAH-AL MAHMOOD: May we know the total amount in money value of works in those places?) So far as this is concerned, I have only compared our budget with that of Bombay—their budget estimate amounts to Rs. 1,46,00,000 and ours is Rs. 1,31,000. So far as the administrative cost is concerned, ours is Rs. 19 lakhs as compared with Bombay's Rs. 25 lakhs for the current year.

Then, Sir, with regard to the electricity scheme, the connections for electric fans and lights which have been provided in the Government buildings are not so much ~~for~~ giving a little comfort to the officers of the State as to help the small companies in the district towns in their expansion. As you know, Sir, in our province electricity is supplied by small companies which have started their venture in the district headquarters and they can hardly carry on without any assistance from Government and the municipalities. It is not possible for these small companies to expand and sometimes even to exist. That is why we have provided for electric connections in Government buildings more as a subsidy to these concerns than for providing amenities for our officers, though I admit that our officers also deserve this little comfort. Even clerks in commercial offices are supplied with this amenity, because it increases efficiency. Of course, some of my friends have said that the agriculturists are not benefited by it. I think the time is not very far when, with the expansion of the electric supply scheme, we shall have lights and fans even in our villages. In Madras they have raised loans to start big electric schemes which cater to villages. Such schemes would be helpful for the expansion of our small industrial concerns also.

Sir, my friend, Mr. Surendra Mohan Maitra, has said that his district has been neglected; but so far as I remember, when the schedule meeting was held for considering the budget estimates, I did not receive any electric scheme from the district of Rajshahi. In future if we get such schemes through the proper channel, certainly they will receive our favourable consideration.

Then with regard to what has been said as to our providing a lift in the High Court and our purchasing a portion of land near the High Court, I think the provision of the lift to the High Court is a belated removal of a long-standing grievance; we ought to have provided the lift long ago, but our financial situation did not allow us to do that earlier. In this connection, I may state that under the new reforms of the money we are likely to get from the High Court we are not spending even one-tenth for it. Under the new reforms the Official Assignee comes under the control of the Bengal Government and we shall get all the forfeited money amounting to about Rs. 50 lakhs and we have given to the High Court only about Rs. 5 lakhs this year for many things which they have been demanding for the last 10 or 12 years; but it was not possible for the Government to comply with those requirements so long.

Then, Sir, as regards the plot of land for which we have provided Rs. 3½ lakhs, it has not yet been decided whether it will be required for an extension of the High Court; it may be required for providing accommodation to different Government offices. We have provided this money for the reason that as the Imperial Bank was selling the entire property to some other purchaser and if we missed this opportunity of buying this plot, it might not have been available for our purpose. So as it is very contiguous to the High Court we have decided to purchase this plot. But how it will be utilised has not yet been decided; we shall decide it in due course. (A voice from the Congress benches: Is it an aimless purchase?) It is not an aimless purchase as Government will require some accommodation for different offices. The Official Assignee's office had to be shifted from the High Court and for this office Government have been paying a considerable rental per month, and there are other Government offices also in connection with the legal departments and to accommodate them it will be necessary to have our own buildings.

Then, Sir, as regards pace of construction of roads and bridges, I admit that the progress has been very slow. But I would ask the House to realise that the progress of such construction works in this province has to be slow as you have to think about culverts, embankments, the provision of free passage of water and matters like that. Though we have been able to execute works amounting to Rs. 6, 7, or 8 lakhs a year, we have provided for Rs. 22 lakhs for this year and we hope that the matter will be expedited. This compares very favourably with the work of other provinces where the work of road construction is easier than in this province. As to the rest of the points raised in the debate, I hope the Hon'ble Maharaja will reply to them.

**MR. SPEAKER:** I have just received an intimation from the Home Department that as already announced 8th and 9th September

will be for resolutions on matters of general public interest, 15th and 16th and 21st and 22nd will be for non-official Bills. In addition to that on the 20th Government proposes to present a supplementary statement of expenditure which will be discussed and the supplementary grants voted on the 23rd September.

**Dr. NALINAKSHA SANYAL:** Sir, in course of his statement the Hon'ble Minister mentioned something about the top-heavy administration which I never said. In connection with the top-heavy administration I only said with reference to certain sections of the department, particularly the Chief Engineer, the Superintending Engineer and the Special Officer who consume about Rs. 8 lakhs out of Rs. 19 lakhs and I did not take into consideration the comparative figures as between this province and other provinces.

**Mr. SPEAKER:** That will do, Dr. Sanyal.

**The Hon'ble Nawab MUSHARROFF HOSSAIN, Khan Bahadur:** Sir, the question of High Court lift and the land that we are proposing to purchase near the High Court has been very lightly thought. So far as the lift is concerned, I believe it won't require anybody to rise and to support it because a lift is a necessity and necessity knows no law. If a thing is necessary, even if it is illegal, it is passed; so here I am not going to do anything illegal. I want to get your assistance in legalising what is a necessity. I hope you know that all the Judges are over 50 and Counsel are also over 50 (A voice: Not all), but many are. So, if I have provided a lift or if I want to provide a lift for Judges, Counsel and clients (A voice: And the Judicial Member), and the Judicial Member if he goes there, there cannot be much objection. Then there remains the question of site. The Hon'ble Finance Minister has very ably put before you where the site is and why it is necessary. You all know that the site is necessary not only for the extension of the building called the High Court building but for other buildings as well. You know that the Administrator-General and the Official Assignee also require accommodation there and the Official Assignee has given you about 90 lakhs of rupees. (A voice: Where does it go?) It will find a place in the budget of the country. So, if the officer who is supplying you 90 lakhs of rupees of which Rs. 50 lakhs will instantly enter into the pocket of this Government and the other Rs. 40 lakhs will come in due course and if that Official Assignee is allowed a room to stay in or to make his office and if this 4 lakhs of rupees that I am providing here in this budget is given for that purpose will you be sufferer in any way (voices of no, no). So, you are really getting about a crore of rupees from that very office. That being the position it won't require any explanation from anybody and the House will at once say that the proposal of Government is a business-like proposal.

**The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar:**

Sir, I have listened with the closest attention to the various speeches criticising the activities of this department. The cut motions which are moved by the honourable members are done with the object of bringing to the notice of Government certain grievances of the people and also to point out the defects of a particular department. I am therefore thankful to all the members for their constructive suggestions. My friend Dr. Sanyal has levelled several charges against the department with breathless speed and some amount of vehemence.

I shall first of all take up the cost of management which has already been referred to by the Hon'ble Finance Minister. My friend, Dr. Sanyal, has taken considerable pains in preparing statistical statements for which I offer him my sincerest thanks. Much can be said about the necessity of retrenchment, but, Sir, when you come to face facts your angle of criticism may be completely changed. It is not possible, neither advisable, to keep down the cost of management to a very low figure in certain technical departments. When I say this I should not be misunderstood that I am supporting all the items in the expenditure of my department. As has already been announced during the debate on the General Administration and also in the course of the speech by the Hon'ble Finance Minister to-day, the question of retrenchment will be taken up in a conference of leaders of the various groups of this House to be held in near future. That will, I believe, be the proper time to look into the question. Sir, I yield to none in my desire to see the expenses reduced without impairing efficiency. The question of redistribution of divisions and for the matter of that abolition of a division, if necessary may be taken up at that time.

Reference has been made in a general way about the malpractices prevalent in the department. Sir, so long as human being exists, human weakness will be there. There must be some black sheep in every herd. For that reason you cannot condemn an entire class of officers who are serving Government faithfully and loyally. While I object to such generalizations I would certainly take great care in enquiring into specific instances of corruption which I can assure the House will be dealt with with all the severity as the nature of the case would demand.

Sir, I am prepared to agree that some reform in the method of administration of the department in certain directions is absolutely necessary. I may inform the House that I have already taken up the matter in right earnest. The items which appear to me to be of radical importance are—

- (1) the possibility of reduction in expenditure on repairs and maintenance;
- (2) lowering the specification of Government buildings; and
- (3) introducing a more rational, equitable, and satisfactory method of disposing of tenders.

Sir, I would now come to the question that has been raised about the delay in taking up some of the road projects resulting in the accumulation of a large amount of money in the Petrol Fund. Sir, as has also been pointed out by the Hon'ble the Finance Minister, you will find that we have provided for over 20 lakhs of rupees in the current year's budget, and compared with the amounts which were spent in the two previous years the advance is certainly not negligible; if we can keep up this pace, I think by the end of the next financial year, we shall be able to exhaust almost all the accumulated amount. I may inform the House, Sir, that there has been no lapse of any amount, as has been mentioned by Dr. Sanyal. Sir, as I have not got sufficient time, I would only like to draw the attention of the House to the resolution of the Central Legislative Assembly of the 10th of February, 1937, to substantiate what I have said. (Dr. NALINAKSHA SANYAL: Would you please read it out? What is this resolution?) I am afraid I have no time; otherwise I would have been glad to do so.

Now, Sir, there are several causes of delay in taking up the projects of road development. The first is that, according to the old arrangement, a scheme used to originate in the Local Self-Government Department, then the Public Works Department used to examine it, and send it back to that department. The scheme was, in due course, forwarded to the India Government, and when the India Government approved of the project, the Local Self-Government Department received it and used to send it again to the Public Works Department for making proper estimates in detail. So, as you can see, Sir, some amount of time used to be lost in this fashion. According to the present scheme, however, as the Road Fund has come directly under the Communications and Works Department, every scheme is sanctioned by this Department and sent to the Government of India for approval. That will minimize the delay to a certain extent, but I may inform the House that it takes some time to get the approval of the Government of India. It is after that approval is received we have to start making estimates. Before that the alignments have to be settled and surveys undertaken if bridges have got to be built, we have got to make various observations, which would take not less than two rainy seasons. It would then be possible for the department to start preparing the estimate. We have always to keep an eye not to interfere with the irrigation, sanitation, and drainage, whenever we take up any such project. Sir, as I have already said, some delay is inevitable, but at the same time we are doing our best to see that the projects are not unnecessarily delayed. With that object in view, we are proposing to have more frequent meetings of the Board of Communications.

Sir, I am not aware of any discrimination being made as regards promotion of Indian officers, as has been referred to by Dr. Sanyal, and I have received no complaints about it. But I can give you this

assurance that so long as I am in office I shall see that no such discrimination is made. Sir, much has been said about the Special Officer in charge of Road Development and the time he has taken to complete the schemes. I may point out that he had to visit every district, and draw up the schemes in consultation with the District Officers and the District Board of each district. As regards the Bridge Designer, I may say that he is a senior Executive Engineer belonging to the Indian Service of Engineers and has taken special training in bridge construction in Europe. (Dr. NALINAKSHA SANYAL: Where? What are his educational degrees and what are his qualifications?)

I am thankful to Mr. MacLauchlan for pointing out to the House that I have been in charge of this department only for a few months and cannot be held responsible. In fairness to the executive officers of the department, however, I do not propose to take shelter behind this plea, but, Sir, I shall do my level best to see that things are put on a proper level. As I have already pointed out, there is already a committee in existence, viz., the Provincial Board of Communications. I do not know if Mr. MacLauchlan wanted another committee to be appointed. I do not think, Sir, that is necessary. I shall, however, consider whether some members of this House can be co-opted as members of that Board.

Then, Sir, he has made another suggestion, which is about the creation of a Construction Department. I may point out at once that our staff is adequate for the work, and no useful purpose will be served by the creation of a construction department. I may say in all fairness that the present Board of Communication had only one sitting and have not been given sufficient opportunity to see things for themselves. After being thus benefited by the criticisms of this House, I myself shall see that the said Board are informed of the views of the members of this House. And I am sure that they will certainly do everything in their power to see that things move more rapidly than before.

Sir, as my time is short, I would only refer to what Mr. Abdul Karim has said about the Public Works Department. Sir, after the inauguration of the new reforms whatever may be the reason, the name Public Works Department no longer exists. The department is now called Communications and Works, or C. & W. (Mr. JOGESH CHANDRA GUPTA: Common Waste?) I would say they mean care and watch or comfort and wealth or capability and wisdom whichever you like.

Sir, several members of this House have referred to the needs of their districts. I may say this much that I shall go very carefully through the speech on this demand after the session is over, and all the suggestions made here will be considered in due course. Sir, this department is a department of service, and I would like to see it run with that motto on its forehead. I would appeal to all

sections of this House to give me that co-operation, advice, and guidance, as occasion demands, so that I may be able to steer it through the proper channel.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 1,19,04,000 under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100 (to criticise the inaction of the superior staff in initiating irrigation projects and in furthering schemes for the construction of roads and bridges, leading often to non-utilization of the sanctioned grants) was put and lost.

The demand of Maharaja Sris Chandra Nandy, of Kasimbazar that a sum of Rs. 1,19,04,000 be granted for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" was put and agreed to.

#### "54—Famine Relief."

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,00,000 be granted for expenditure under the head "54—Famine Relief."

**Mr. ATUL CHANDRA KUMAR:** I beg to move that the demand for Rs. 2,00,000 for expenditure under the head "54—Famine Relief" be reduced by Rs. 100

The amount allotted is quite inadequate. The word "famine" according to English dictionary means scarcity of food, but it is not such scarcity as is described in the Famine Code. According to the Famine Code "famine" means scarcity of a grave nature. Whenever Government declare famine we at once take it to be of a serious type and that people are dying or will die as a result of it. I think that unless the system is changed and the grant is increased people will die of scarcity. Whenever there is famine, a Famine Commissioner and a number of relief officers are appointed and their pay is met from this small grant. I suggest that the local officers should be asked to do some extra time work whenever there is famine in their area. Those local officers may also take the help of local non-official agencies, especially of the members of this Assembly who come from that area. I think the members of this House will gladly give all the help they can. I therefore suggest that instead of appointing a Famine Commissioner and other relief officers a major portion of the grant under this head should go to the really starving people. Gratuitous relief is not given to the poor—it is given only to the invalids and lunatics and to the *pardanashin* ladies who have none to look after them. I further suggest that this fund should be well controlled and managed.

When there is famine the hungry people take any food that they get and I know of some British companies that give something in charity, for example, the Britannia Biscuit Company. They give biscuits out of their old stock; those biscuits are not fit for human consumption and I can say from my experience at Rampurhat that those who took those biscuits fell ill. I therefore suggest that food that is not fit for human consumption should not be given to the hungry people. Famine is very rare in England, but in our province it is of frequent occurrence; it is caused either by floods or drought. Famine that is caused by drought can be prevented if more money is spent on irrigation and on the development of industries. If proper arrangements for irrigation is made, the area of land under cultivation can be increased and agriculture improved. Generally agriculturists cannot produce more crops for want of funds, for want of seeds and for want of facilities for watering their fields. Bengal is a fertile country and it can produce plenty of rice and other food crops which other provinces cannot. Whenever there is famine in Bengal the Local Government should stop all export of rice. If the rice that is produced in the province is not allowed to go out, there would be very little scarcity of food. I suggest that the local officers should take this work in hand in addition to their own duties. There are so many circle officers, so many union boards, so many development officers who can help and I think they with the help of non-official agencies must try to stop this export of rice when there is famine.

Government, I submit, will not be able to cope with the situation by providing more money for famine relief, if they cannot curtail their expenditure on the police. And until that is done the District Magistrates and the Subdivisional Officers may take the initiative and form relief associations and organisations as is done by the Congress, the Ram Krishna Mission, the Sankat Tran Samiti and the Marwari Society. In this connection I may mention the noble example set by Mr. B. K. Guha at Birbhum. He started relief organisations and took the help of the local people; he did not take any holidays and he used to leave his headquarters on Sunday and come back on Monday; he used to go to the houses of the generous public and induce them to make handsome contributions towards the relief of distress. Other District Officers may do similarly and induce the local people to contribute as much as they can, as the amount provided by Government is not adequate.

Every year there is famine in one part of the province or another. This year there is famine in Chittagong and Nadia and no great help can be given from the small sum that is being provided for famine relief unless the local officers start local relief organisations with the help of non-official agencies.

The question of fodder for cattle is also of importance. For want of fodder the death rate among cattle is ever on the increase and when famine is over the cultivators do not find cattle for ploughing their fields. If sufficient money can be spent in a year of famine, there may not be any famine for several years. During the Hindu rule or Mahomedan rule there was seldom any famine in India, because there was no export of grains or exploitation. Money that was realised from the tenants was spent in the country.

(The member, having reached the time-limit, resumed his seat.)

**Mr. ABDUL WAHAB KHAN:** In rising to support the motion I will only speak a few words. Curiously enough, Sir, in the past Government have been very slow to admit the existence of famine in certain places. Nobody really understands what is the proper line of distinction between acute distress and famine. Famine or distress by whatever name you may call it, must be of a varying degree in one place or another in the same area. The policy underlying this is really inscrutable. But we expected that with the new era ushered in amongst us this policy should be relaxed. Every year more or less acute distress prevails in some part of the country or other. Last year it happened in Khulna and some years back it happened in Motbaria in the Bakarganj district. This year again it has appeared in a serious form in the Patuakhali subdivision of the Bakarganj district. For some months acute distress is prevailing in Patuakhali. *Aus* crop has failed and last year lakhs of cattle died of cattle epidemic. People owing to the provisions of the Agricultural Debtors Act do not get any loan. Mahajans have stopped their transaction. The District Board, however, has very kindly started some test relief work of the value of Rs. 15,000 through the agency of the Union Boards. It is also extremely inadequate so much so that women who were *pardanashin* have come out to work as labourers to get a small pittance of 6 to 10 pice a day. In a village within the Bowfal thana a woman is reported to have died of starvation. Relief societies have started work in the affected area but, Sir, I do not know what the Government have done yet to give gratuitous loan. Some years ago acute distress happened in Motbaria. The Circle Officers were good enough to send an appeal along with other public spirited gentlemen for voluntary help in the shape of cloth and rice and Government came down upon him and took him to task for lending his support to that appeal. And Government went to the length of issuing a communique denying the existence of such a serious state of things. With these few words, Sir, I hope that the policy which was being pursued of late by the Government should be relaxed to such an extent that we can expect relief at the time when it is needed.

**Mr. H. C. BANNERMAN:** Mr. Speaker, Sir, I rise to oppose the auct motion as moved by Mr. Atul Chandra Kumar with regard to the

insufficiency of the grant for famine relief. As the time allocated to this debate is three quarters of an hour only, I intend to deal with the subject very briefly.

Now, Sir, we cannot deny that on occasion famine may be serious and widespread. But, more generally, famine will occur in limited areas. Further, Sir, local scarcity can be experienced but with less severity. The House, I am sure, has every sympathy with those in the districts who unfortunately have to suffer hardship and misery in consequence, and has every desire that the lot of those unfortunates should be alleviated. In this province, as in some other parts of India, famine and scarcity arise owing to the failure of the monsoon. Also, and I have in mind Eastern Bengal, floods are a cause of distress.

Nowadays, Sir, we can hope that with easier communications the immediate result of famine when it arises in some districts, is perhaps not so acutely felt as in the past. Foodstuffs can generally be quickly transported to those areas suffering from acute shortage. Also the labouring population, with opportunities to emigrate from one district to the other, may be enabled, we trust, to feel the situation less seriously.

Turning, Sir, to the figures of the last few years I find that only in one of the years, that is in regard to the 1936 famine, was Government called upon to meet very heavy expenditure and that was to the extent of about Rs. 10,00,000. In the other years the actual expenditure was not unduly heavy; in the year 1932-33 the sum spent was Rs. 48,000 while in 1933-34 the amount was about Rs. 10,000 only.

Also I understand, Sir, along with this expenditure, agricultural and land improvement loans were granted to alleviate distress.

Now, Sir, where local scarcity arises, I understand that the District Board assists by opening test work, that is, employment such as road making, etc., is made available in order to test whether there is real scarcity or not. If I may be permitted to put forward a suggestion, Sir, I would like to see District Boards create "local scarcity" reserve funds of their own or, in other words form an insurance fund such as Government calls its own relief fund. The object I have in mind is to enable District Boards when they are called upon to meet expenditure arising from assistance in times of local scarcity, to meet such expenditure from this fund, without having to dislocate their normal financial arrangements. To illustrate this, Sir, I suggest that a District Board with an income annually of, say, Rs. 2,00,000 should lay aside a sum of, say, Rs. 4,000 or Rs. 5,000 each year, so that ultimately a reserve fund of, say, Rs. 50,000 or more could be built up to meet expenditure in assistance in times of local scarcity. As a business proposition, Sir, I think the suggestion is worthy of serious consideration.

I do not propose to prolong my remarks other than to say that a state of famine is declared by Government according to the local situation and on the advice of the local officers. In my opinion, Government should continue to depend on the advice of these officers. The Government in Bengal was able successfully to manage the situation created by the famine of 1936 and this clearly proves, Sir, that there was nothing wrong with its famine policy.

One more point, Sir, before I conclude. I understand that Mr. Atul Chandra Kumar suggested the prohibition of export of rice. If I may, I would like to point out that if this is done it would have the result of discouraging production of any surplus rice. A surplus for purposes of export provided it can be produced, would be a safeguard, and could be made available for the benefit of the province in times of famine. Therefore, Sir, in conclusion, I beg on behalf of the European group to oppose the motion now before the House.

**MR. ATUL KRISHNA CHOSE:** Mr. Speaker, Sir, in supporting my esteemed friend Mr. Atul Chandra Kumar, I beg to draw the attention of the House to the few points which are vitally connected with the famine relief policy as pursued by the Government for a long period of time. My object in supporting his motion is to assert that famine relief should be declared as a simple right of citizenship and not as a charity as has hitherto been pursued. Only the other day the Famine Insurance Bill has been passed by this House, though of course it was opposed by some but still when it has already been passed by the House we have no right to discuss it any further, but we can point out the principle and policy which are being pursued for a long time. The principle and policy of the Government have always been in the wrong line. Since the days of Sir John Strachey famine relief fund has been handled and misused in so many ways that one naturally thinks or rather shudders to think of taking steps beforehand.

My friend Mr. Atul Chandra Kumar has already mentioned regarding the definition of famine. I think there is some definition, but what is that definition and what is the application of that definition in actual state of affairs? Will the Hon'ble Minister in charge give an explanation of that definition? Sir, when we have to face stern realities in our constituency we cannot be guided by the definition that the Government will give, but we must seek what application of that definition is generally pursued by the Government.

Sir, to-day during the question time I raised one question regarding test work. Whatever the decision of that question might have been I might draw the attention of this House to the humiliating work which is being passed as test relief work. Could you, Sir, imagine that our mothers and sisters simply because of some unforeseen calamity will

flock round the famine relief centre with folded hands for a few handfuls of rice that will be given by Circle Officers or by some Honorary Magistrates? Sir, the foreigners, however sympathetic they might have been in the past, have not learnt to respect Indian feelings, Indian sentiments and Indian sense of self-respect. I do not condemn them, but is there any single gentleman here, Mr. Speaker, who would like the idea that our mothers and sisters will go to that relief centre with folded hands for the sake of handfuls of rice? Is not that humiliating? Is this the definition of test work?

Famine, as you know, Sir, is an accident and people insure them against it by giving premiums in the shape of taxes. Is it just and fair for the Government to take advantage of the helpless situation of the people and force them to humiliating work to test whether they are really famine-stricken or not? The peasants and labourers are asked like beggars to go to the District Board centres and take up some work for which they are traditionally unfit. May I ask, Sir, how many Bengali peasants, how many labourers have been accustomed to the construction of District Board roads? I know, Sir, during the last famine in Jessore, the District Board authorities gave a chance for some test relief works. But I ask, Sir, is it possible for gentlemen, is it possible for ladies to go to that distant corners of the district and engage themselves in the construction of District Board roads? So the definition and method of test works should be changed and changed without any more delay.

Then, Sir, if we take the statistics of the past we will see that from the days of Sir John Strachey so many incidents have happened, so many misuse of funds and accounts have happened that one should be very cautious and very clever to put forward a new scheme, even after the inauguration of provincial autonomy.

I admire and sincerely admire the spirit of the Hon'ble Minister in charge to introduce a Bill whereby the distress of the people may be relieved.

(The member, having reached his time-limit, resumed his seat.)

**Mr. SYED JALALUDDIN HASHEMY:** Mr. Speaker, Sir, while speaking on the insufficiency of grant under the head "Famine Relief", I speak from my personal experience and it is for the Hon'ble Minister to accept my statement or refuse to accept it. My district, the district of Khulna, is a permanent abode of famine. Sir, I do not care what interpretation of famine is given by Government—whether acute distress or distress, whether it is scarcity of food or acute scarcity of food. But there was a regular famine last in my constituency, the Satkhira subdivision. The Hon'ble Mr. M. B. Mullick will perhaps bear me out as he has probably some personal experience. Dr. Sanyal is not here and he might have borne me out in the matter, as he very kindly

contributed a certain amount of money towards the relief of famine. Only to-day on the floor of the House I mentioned to the Hon'ble Minister in charge about a certain grant for famine relief in my district. Sir, it is really surprising that any civilised Government can allow the people to die for want of food. In my district, I can say from my personal experience that last year several people died for want of food. It is the unkindest cut of all that all the officers, particularly the police officers are not allowed to mention in their report that people had died for want of food. It is most distressing that although under this head of famine the District Officers in consultation with the district board got the sum of Rs. 40,000 from the funds of the board—the Hon'ble Mr. M. B. Mullick, who was a member of that board then will perhaps bear me out—on the clear understanding that a certain percentage—say 50 per cent.—would be given by Government. Now, Sir, only to-day I have learnt from a reply given by the Hon'ble Minister in charge that the matter is still under consideration. Perhaps, the decision will be arrived at when we shall have our roads and tubewells and other things of the local board. I submit that if the Hon'ble Minister has time at his disposal he might pay a visit to the southern part of my subdivision and a part of the Sunderbans; he will then realise what hardships people in those parts are undergoing owing to the failure of crops. Almost every year we come across this terrible calamity and it is up to the Government to stop this famine. It is not possible for the district board to spend a large amount of money on relief work. My friend, Rai Harendra Nath Chaudhuri, is a big zamindar and has possibly some zamindari in the district of Khulna and he will perhaps bear me out that the people are undergoing untold sufferings for want of food. It was not only last year that people died owing to starvation, but I can say on very good authority that every year people die for want of food. Now, we can expect and very reasonably expect that our popular Government and our popular Minister will kindly see that our people—the poor agriculturists do not die like cats and dogs for want of food. With these observations I beg to support the cut motion moved by Mr. Atul Chandra Kumar.

**The Hon'ble Sir BIJOY PRAŠAD SINCH ROY:** Sir, it was once said by a great Indian Viceroy that the whole Indian budget is a gamble in rains, and I think that can be safely applied to the provision for famine relief in Bengal. It is extremely difficult to foresee whether there is going to be famine or scarcity in any particular area of this Province or not, and Government only has to provide funds on the basis of the past years' expenditure. Sir, whenever there is an outbreak of famine or scarcity in any particular area and if the money provided for does not give adequate relief, Government do not hesitate to spend more money out of their general resources. Sir, following this system in the current year we have made a demand of Rs. 2 lakhs for provision in the budget. I may point out that in the year 1932-33

the budget provision was a lakh and thirty thousand of rupees, whereas the amount actually spent was only Rs. 48,000, because there was no scarcity in Bengal that year fortunately. In 1933-34 the budget provision was Rs. 56,000 but the amount spent was Rs. 9,761; in the year 1934-35 again there was a provision for Rs. 56,000, but unfortunately that year this could not cover our total expenditure and the amount spent was Rs. 1,70,000. Similarly, in 1935-36 there was a provision for a lakh of rupees, but the amount actually necessary was Rs. 2,33,000. So in 1936-37—this year was the worst year of famine during the last half a century—the provision was Rs. 2 lakhs, but the amount spent by Government was over Rs. 10,33,000. This year we have asked for Rs. 2 lakhs and at the outset may explain to the hon'ble members that this is only a provision on the basis of past year's expenditure, and this does not mean that the expenditure is going to be limited to that amount. If necessary, Government will have to spend a much larger amount. So far as the crop condition this year is known to Government, fortunately there is not much apprehension of famine in any part of the Province up till now. But the failure of October rains is the worst calamity that may befall to the crops in Bengal. There is, of course, some amount of scarcity in certain parts of the Bakarganj district. The District Magistrate came to see me yesterday. We have already given agricultural loan to the extent of Rs. 70,000 and are going to place at his disposal an adequate amount for giving gratuitous relief and I assured him that there would be no want of funds, and if need be, Government would be prepared to place a larger amount at his disposal. (A VOICE: What is the amount for gratuitous relief?) Sir, I do not exactly remember but quite a sufficient amount has been paid, and I may assure my friend that Government are determined not to allow people to die or suffer because of want of funds. (Sriji MANINDRA BHUSAN SINHA: They are suffering already.)

Sir, I expected a more detailed criticism of the famine policy of Government from the mover of this motion. But unfortunately he confined his remarks to one point, namely, that there should be no appointment of Additional Commissioner for famine relief and the work should be carried on with the help of non-officials. Sir, it is not the usual practice of Government to appoint special officers to conduct the famine operations. In the year 1935-36, Bengal was threatened with an unusual situation and Government considered that it would be difficult for the local officers to cope with it, and it was on these considerations that a special officer was appointed as an Additional Commissioner in charge of famine relief for Western Bengal. I am glad to say that Government was perfectly justified in their action. This officer could bring about co-ordination of activities in the different districts; he could control famine operations in the different areas, and he could lay down a common standard for the guidance of officers and

of non-officials who were in charge of famine relief work in the different centres. Sir, Government have got to deal with public money. They are responsible to this House and to the public outside for every pice they spend. So, it is incumbent on them to see that no money is wasted and that they receive the full value of every rupee that is spent. Sir, I am also glad to admit that Government received full co-operation of the non-official public men. But for their help and co-operation in the different districts it would have been difficult, or I would say impossible, for Government to cope with the serious situation of 1935-36 and Government did rely very largely upon the non-official help which they received in abundance. Whenever there was a serious situation Government never hesitated to spend money; and for the information of the House I may mention the amount of agricultural loans that were advanced in the different districts in 1936: Burdwan Rs. 6,84,000, Birbhum Rs. 5 lakhs, Bankura Rs. 4,90,000, Midnapore Rs. 83,000, Hooghly Rs. 83,000, 24 Parganas Rs. 7,34,000, and Murshidabad Rs. 2,74,000; the total amount comes to over Rs. 37 lakhs. This was agricultural loan. Sir, besides this there was gratuitous relief. The number of units actually relieved was in Bankura in January 16,000, February 12,000, March 11,000, April 39,000, May 1,18,000 and June 1,65,000; in Birbhum in March 66,000 and in June 4,23,000; the other figures during the intervening months I need not read out. Sir, in Burdwan the famine operations began from May; the units that received relief in May was 1,00,000, June 1,22,000, July 2,53,000, August 2,53,000 and in September 2,45,000. So, Sir, in every district of West Bengal a very large number of people received relief either from the funds supplied by Government or from the funds placed at their disposal very kindly by the generously disposed persons of this Province.

Sir, as regards the remarks of Mr. Atul Krishna Ghose, about the mismanagement of the famine fund from the time of Sir John Strachey, I may tell him in reply that this Government have got nothing to do with the management of the Central Famine Fund.

That fund was, and I believe still is, entirely under the control of the Central Government. The other day the House was pleased to pass the Famine Insurance Bill, and we have started our fund with 5 lakhs and we have decided to contribute annually 2 lakhs to build it up to the limit of 12 lakhs, so, according to past experience that will give us sufficient funds to fall back upon in times of difficulty and necessity. Sir, I am grateful to my friend Mr. Bannerji for the very valuable suggestion he has made about the starting of local famine reserve funds by the district boards. In fact, this was one of the proposals that was under the consideration of Government immediately before the present session of the legislature, and I hope to call a conference of representatives of district boards to discuss this question. Mr. Atul Krishna Ghosh has said that test works are humiliating and

that our mothers and sisters are not expected to join test works for a handful of rice? Sir, nobody is more anxious to avoid that humiliation than myself, and I yield to none in my anxiety to maintain the honour and respect the sentiments of our mothers and sisters. Sir, test works are generally started just to find out whether there is real scarcity or not, and whether people are anxious to earn their living or not.

**Mr. SPEAKER:** How long will you take, Sir Bijoy, to finish your speech?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Another 5 or 6 minutes.

**Mr. SPEAKER:** I may point out that you have already taken more than 20 minutes.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Have I? In that case I shall bring my speech immediately to a close.

I may conclude, Sir, that I do realize that sympathy should be the watchword of this department. (Ironical cheers from the Congress Benches.) Alleviation of human suffering is the duty of Famine Relief and of the officers entrusted with this sacred work. Government can assure the honourable members of this House that sympathy will be the watchword of this department and that will be the motto of the officers who will be engaged in the work of famine relief. (A voice: From now?)

With these few words, Sir, I would oppose the cut motion, but in view of what I have said I hope my honourable friend will have no objection in withdrawing his motion.

I would just say one word in reply to the observation of Mr. Hashem about the alleged deaths from starvation in the Khulna district. Government's reports show that there was not a single death due to starvation in the district of Khulna. But my friend, Sir, is always inclined to hyperbole, and I think we can excuse the present instance as an example of it.

**Mr. SYED JALALUDDIN HASHEMY:** May I rise on a point of personal explanation, Sir?

**Mr. SPEAKER:** I do not think there is any need for any personal explanation.

The motion of Mr. Atul Chandra Kumar was put and lost.

The motion of the Hon'ble Sir Bijoy Prasad Singh Roy that a sum of Rs. 2,00,000 be granted for expenditure under the head "54—Famine Relief" was put and agreed to.

## 43—Industries.

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:**  
Mr. Speaker, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 16,14,000 be granted for expenditure under the head "43—Industries."

Sir, the sum of Rs. 16,14,000 does not really represent the Industries grant. Out of this sum Cinchona takes up Rs. 4,11,000.

In this connection, Sir, I would like to tell the House that under the new Reforms, when we came into office, the departments were reshuffled, and the Cinchona Department has gone out of the Industries Department, and it is a legacy of old accounting that this has been shown in the Industries Budget. I hope in the next budget this sum will be taken out. In this connection, I may say that I know very little about Cinchona; this department has neither any control over it nor any connection with it. I would request honourable members to turn to page 100 of the Red Book which contains the items of the demand. The present demand for Industries proper is Rs. 11,93,000. Last year it was Rs. 10,24,980, so for this year it represents an increase of Rs. 1,68,011. On page 100 of the Red Book details of how this increase has taken place are given. Only those very urgent demands have been put in in this year's budget which were absolutely essential for the carrying out of the schemes under the head "Industries". You will see that the development of the silk-reeling industry accounts for Rs. 19,767. Sir, Bengal silk has been losing its markets on account of the defective reeling system prevalent here. Therefore, this sum has been provided to provide for a model plant on the model of Japan to improve the reeling system, so that there may be an increased demand for the Bengal silk industry. Secondly, the establishment of a conditioning house for raw silk accounts for Rs. 14,235. Bengal silk, Sir, has a lot of moisture, and people do not buy it because it loses weight. Therefore we have provided for a conditioning house which will turn out silk absolutely dry. Then, we have provided a sum of Rs. 2,172 for the establishment of two demonstration parties for improved methods of silk reeling. Next we come to the sum under the handloom and sericultural industries, which amounts to Rs. 43,000. This is to supplement the grant that is already being given. On page 311 of the Brown Book you will find the figure of Rs. 4,67,200 provided for industrial development, of which at least half is for the development of the handloom industry. Again, turning to page 100 of the Red Book we find an item, viz., grant to the Industrial Credit Syndicate, for Rs. 20,000. Members of this House are aware that this is for the purpose of meeting the working expenses of the Industrial Syndicate. Government have also given a guarantee that it would provide up to Rs. 5 lakhs for any loss, the capital of the Syndicate being Rs. 10 lakhs. This is for the purpose of giving help

to those who want to start small industries to provide them with capital. I trust that in this connection they will get the support of the public in the shape of subscriptions towards this enterprise.

I shall now come to the restoration of retrenchment cuts in grants-in-aid to industrial and technical schools, which amount to Rs. 19,000. On account of the economic depression in this country there were cuts made on grants-in-aid to industrial and technical schools, but the conditions being now better we have restored the grant to the former figure. There is, Sir, a new item of expenditure, to which I should now like to refer. We have provided this year Rs. 9,700 for the development of fisheries, and next year we hope to provide a sum of Rs. 19,400. The House is aware that when the first Retrenchment Committee sat, there was economic depression, and the Fisheries Department was abolished as a measure of retrenchment. When I took over charge, I found that Fisheries was neither a department nor had anybody to look to it, though it was included in my portfolio. As we all know, Sir, fish is the only principal diet of us, the Bengalis, and the fish industry, I am sure, has got a great future before it, and it is expected to bring additional wealth and prosperity to the country if a proper survey is made by Government. Therefore, I propose to have a thorough survey made of the whole sea-fishing trade, estuarine fishing, and inland fishing. Members of this House are aware that estuarine fishing is done in a part of the Sunderbans where there is no water, no fishing villages, no proper facilities either for transport or for cold storage. So, this survey has to be very comprehensive. If we are to start a proper fishing industry, it is necessary that we should go into all these questions.

Then, Sir, in regard to inland fishing, members are aware that the fish which is sold in Calcutta is sold at a very high rate. Also, fish is caught at all times of the year. It does not give the small fries a chance to grow up. It may be necessary after the survey report is received to legislate, as well as to try and reduce the size of the holes of the nets.

Then comes the installation of laboratory equipments in the Government Weaving Institute at Serampore, which will cost Rs. 23,781. The present machinery is not up to date, and we propose to instal new machinery which would give better results. I quite realize that the Industries demand is hopelessly inadequate. Before I proceed to inform the House regarding the policy of Government, I wish to say one or two things. The first is as we all are aware that Bengal is a happy hunting ground of everyone but Bengalis. Every trade and commerce has been taken up by people coming from outside. The reason is that we Bengalis with the hereditary tradition behind us think of investing our money either in land or money-lending business. I would appeal through you and this House to those monied gentlemen to come forward and help us in starting new industries and thus

solving the problem of unemployment. In formulating the policy of Government I had to consider two broad questions. The House is aware that the question of unemployment is very serious and in formulating my scheme I had to take into consideration that factor. Secondly, as every one knows, the cultivators sow at a certain period of the year and after they have sown and reaped the harvest they have nothing to do, and spend their time idly. I have provided in my scheme some industries to occupy them and thus earn further income. I have, as I declared some time ago, formulated a five-year plan and as the Speaker has warned me that the time is very short and he would like other members to take part in the debate, I cannot speak in detail. With your permission, Sir, I would like to give the broad outlines of the policy in regard to the five-year plan which I have already submitted and which I propose to pursue.

(1) Improvement of methods for the collection and dissemination of industrial intelligence, including principally information relating to internal trade and local industries.

(2) Creation of better facilities for efficient production and marketing of industrial products and the financing of industries.

(3) Systematic conduct of research and experiment, establishment of a Research Board, establishment of training institutes.

(4) Establishment of new industries having good prospects and for which the necessary men and materials are readily available by providing training facilities.

(5) Development of existing small and cottage industries.

(6) Improvement of technical and industrial education.

So you can see that I have already made a beginning and I trust that this will be an era of industrial regeneration of this Province. I do not say that the scheme which I have formulated is absolutely sound or absolutely right. But I am prepared, when it has received the approval of the Finance Minister and the sanction of my colleagues, to put it before the industrial and commercial experts and to those who are interested in this and in consultation with them to see if we can improve it for the better.

In regard to big industries, Government are also thinking of them; but I would like to say that at the beginning Government can do very little. They can only co-operate or give information, but the working capital should come from the public. In this connection I hope to be able to persuade the public to come forward and co-operate with us in creating new industries. It may be possible for Government to subsidise and help as far as it lies in their power. By so doing we will, I hope, to a great extent solve the unemployment problem.

I would like to say one word before I conclude my speech and that is that the education system of this country produces mostly people who want to enter into services. The hereditary tradition of our Bengali nation is that their children should be educated in colleges for a certain purpose and that is for entering into services. The House is aware, Sir, that services are very limited and they cannot meet the demands of our youths. I would therefore through you and through this House earnestly request the parents and guardians of all the boys to see as far as possible that their boys take up industrial education, veterinary education, and other scientific education so that they may be able to help the future progress of this country on those subjects.

Sir, it has been said that the Ministers have done nothing. But from what I have already told the House it may be seen that I have tried to make an attempt to solve the problem. It may be, Sir, that I have not been able to achieve success to the extent to which it is desirable that we should. But there is the big question of finding money as it will cost a great deal of money. But I am sure that my honourable colleague, the Finance Minister, who has every sympathy with the development of industries, will give me as much money as is possible and my other colleagues who are as much desirous of developing the industries and improving the condition of this country, will, I am sure, give their whole-hearted support to this scheme. With these few words I commend my motion to the acceptance of the House.

**MR. DEBI PRASAD KHAITAN:** I beg to move that the demand of Rs. 16,14,000 for expenditure under the head "43—Industries" be reduced by Rs. 100 with a view to draw the attention of the Government for taking steps for the development of cottage and small industries.

Sir, I may say at once that it is my desire only to draw the attention of the Government to this matter and I have not the slightest intention of carrying this motion to a vote. I have listened very attentively to the able speech delivered by the Hon'ble Minister in charge of the Department of Industries. But what I do want to impress not only upon the Hon'ble Minister but upon all members of the House is that it is essentially necessary that something practical should be done to improve the economic condition of the masses. Unless something practical is done without any further delay, I fear that the doctrine of bolshevism will go on spreading in the province till it becomes too late to end it whether people like it or not. The condition is such that something must be done without delay to improve the economic condition of the masses and it is my firm belief, Sir, that the only possible way and the primary method by

which it can be done is by spreading cottage and small industries. It is my firm conviction again that unless industries develop within the province it will not be possible either to improve agriculture or to spread education or to carry out any other beneficent activities in this province; for, whatever we may lay our hands upon it will require money and the money can only be obtained if the purchasing power of the people is increased through the method of industries. And, Sir, it is the cottage and small industries through which the largest amount of benefit can be conferred upon the masses. It is quite true that large industries can do and are doing a great deal, but in large industries a small number of people can produce a large quantity of goods and the income goes to a small number of people; so the masses do not benefit under a scheme of large scale industries as they would under a scheme of cottage and small industries. In cottage industries, although the individual income may not be large and although an individual cannot benefit so much as he would under a system of large scale industry, the fact remains that in cottage industries a much larger number of people could be employed than otherwise. Under the prevailing circumstances it is very necessary that something should be done to give employment to the large number of artisans in Bengal who know their vocation but who for one or other circumstances are unable to use their skill and carry it into practice. If there be the slightest doubt about the success of a scheme of this character in ameliorating the condition of the masses of the country, let me refer the moderate section of this House to the opinion expressed by no less a person than His Excellency Lord Linlithgow, the present Viceroy, and my friends of the Nationalist group would refer to the opinion expressed by no less a person than Mahatma Gandhi. Lord Linlithgow and Mahatma Gandhi are both agreed in thinking that it is through a system of cottage industries that you could ameliorate the condition of the masses and through no other means whatsoever.

Sir, as regards the principle of the thing there will not be any controversy. But the difficulties arise as soon as we try to convert that principle into actual practice. I have heard from the Hon'ble Minister that in his five-year plan he has got schemes of demonstration parties, laboratories and various other things.

I have not the slightest doubt that these schemes are good so far as they go; but is it not a fact that there are in Bengal a large number of artisans already existing who know their art but cannot put their art into practice for want of other facilities that they need? Is it not the duty of the Government to devise means for the purpose of enabling them to put their art into practice? Is it not the duty of every member of this House to help the Government to enable the artisans to put their art into practice? I have not the slightest doubt about the answer I would get. Everybody would agree in thinking

that every means should be adopted for the purpose of doing it. Has the slightest endeavour been made to study the condition in Japan where a large number of cottage industries is successful. Nearer home, has the slightest attempt been made to study the conditions in Ludhiana in the Punjab where a large number of cottage industries is being successfully run? Is it not a fact that the weaving of handloom cloth has increased from 1,000 million yards to 1,800 million yards in India? Can it be said that Bengal handloom cloth has increased in the same proportion? I doubt not that while other provinces have gone a step forward, our Province, it is quite possible, has gone a step backward. Sir, I am not blaming the present Ministry for they were not in charge but surely the previous Governments who were in charge are guilty of having neglected this most important branch of the development of our provincial resources.

**MR. SPEAKER:** I am sorry to interrupt you, Mr. Khaitan. The House will now adjourn for prayer and you can continue after adjournment.

The House was then adjourned for 15 minutes.

*After adjournment.*

**MR. SPEAKER:** I might just take this opportunity, before we proceed, to enquire if with a view to make up the time, the House will agree to meet at 10 o'clock to-morrow instead of 10-30.

(Cries of "Too early, Sir.")

As I find, however, that this suggestion of mine does not meet with general approval of the House, the House will meet at 10-30 to-morrow.

**MR. DEBI PRASAD KHAITAN:** Sir, before the adjournment I was trying to impress upon this House the necessity of taking practical steps for the purpose of developing cottage industries. I would illustrate my meaning by giving the example of the handloom weaving industry. At the present moment, Sir, we have got in Bengal a large number of persons who already know that art in a very good manner and I would suggest to the Hon'ble Minister in charge of the Department of Industries that every possible step should be taken for the purpose of inducing those artisans to produce cloth on the handlooms—whether they be of cotton or silk or any other fibre. It is because they do not get their raw material cheap and are not able to sell their finished products in an easy and profitable manner that many

of them have gone out of employment. Sufficient steps have not been taken for the purpose of providing those lacunae which exist in our social system. I would suggest, Sir, that merchants should be induced to put their hand into the business. They know what kind of designs of the finished cloth is needed in the market; they would know from what raw material those goods can be properly made and if they can be induced to give the raw material to the artisans and take back the finished products from them and pay them wages on piece-work basis, there is no reason whatsoever why the handloom industry should not improve in this Province. Sir, some examples of the handloom industry prospering in this province in that manner are already existing within the province itself and I do not see any reason why that system should not be developed. I do not exclude, Sir, the importance of the co-operative movement in this connection. Co-operative societies, if properly established and run for the purpose of supplying raw material to the artisans and taking back finished products would be of great help to them, though, Sir, in the beginning I am doubtful on account of the ignorance of the people who are placed in charge of the co-operative societies as to whether they would be able to give proper guidance to the artisans. As regards the designs, etc., and as regards the supply of raw material at a proper rate, I doubt of the success of the co-operative movement in the beginning, but if they carry on their work along parallel lines with the merchants who know their business, there is every reason to believe that the co-operative movement would succeed and ultimately take the place of the merchants themselves. Sir, this kind of work is not new. It is going on in Japan and it is called the out-work system in England itself. It is going on there, it goes on in France, it goes on in several countries. It is quite true that those advanced countries are able to supply electrical current at a very cheap rate to the artisans whereby they are enabled to produce their goods at a much cheaper rate and as a result of the quantity of production is much larger than otherwise. I think, Sir, that our Government too should take steps to see that electric current is supplied at a cheap rate to cottage workers, but even before that is done, as it may take time to do it, it is necessary that impetus in this direction should be given in other ways. For example, Sir, I do not see why this House itself should not establish a convention that every member of this House should be clothed in handloom cloth hand-woven in Bengal (Hear, hear). I may say, Sir, without being guilty of immodesty, nobody has ever seen me in this House except in cloth hand-woven in Bengal and if anyone says that handloom cloth is not available in good qualities, I can assert that he is absolutely mistaken. Especially, if mill yarn is used on the handloom, it is possible to produce any kind of cloth of any design and of every variety for the purpose of meeting all tastes.

Further, Sir, I would say that lawyers should be not only entitled but they should be asked by order of Court or by legislation that whenever they appear in Court they should appear in cloth hand-woven in Bengal. Uniforms that are prepared by the Government for their officers should all be out of cloth hand-woven in Bengal. If these steps be taken, a fashion will be set, and I think a great impetus may be given to that movement. As my friend, the Hon'ble Mr. Sarker, Finance Minister, has always expressed the same views as I am expressing now, I hope the Hon'ble Nawab Bahadur will have no difficulty in finding the necessary finance to translate this sort of activity into action. I have mentioned the handloom industry by way of example.

Another industry, Sir, which has promise of very good effect in this Province is fishery. It has been mentioned by the Hon'ble Minister in charge; but I must confess to a sense of disappointment when he said that he wants to carry on a survey of fisheries in the Province. Everybody knows that fish is available in abundance in every nook and corner of this Province. What is needed is that practical steps should at once be taken for the purpose of bringing the industry into great prominence, so that the people may get more fish to eat. Survey is good for further development but we should not wait for a number of years which a survey of the nature may take and the money that can be made available should be utilised in practical operations and not simply in carrying out survey and similar things.

Then, Sir, sericulture and silk weaving are very relevant industries in this respect. Formerly, as is well known, Bengal used to be not only prominent but probably the most advanced Province in India for the purpose of supplying silk not only to this country, but to countries abroad. Sericulture which made Indian silk so prominent has now dwindled into insignificance. Every step should be taken to renovate that industry which is not only needed by the agriculturists as an occupation, but could be utilised by the handloom artisans for the purpose of weaving the silk into cloth. At Vishnupur near Bankura silk cloth is woven of very good quality by the handloom weavers.

(At this stage the member having reached the time-limit resumed his seat.)

**Mrs. ELLEN WEST:** Mr. Speaker, Sir, I would like to say a few words on this demand regarding industries as a means of relieving unemployment. I am encouraged to refer to this matter in view of the very desirable provision made in the budget for the supervision and marketing staff in connection with the scheme recently started for trained detenus. I have no doubt that this question of unemployment

is receiving the earnest attention of the Cabinet as a whole. If I refer to it under this head it is merely because I desire to impress on the Government the urgency of the problem.

Unlike other countries in the world, we have no statistics to gauge the extent of this scourge. But few will deny that there is a larger proportion of unemployed men and women in this country than in any other part of the world. The severity of this evil is not only felt by the masses of the population in the villages and rural areas, but its acuity is increasingly in evidence among the middle class educated youth of all Indian communities. Considering the extent of the problem, it is surprisingly strange that public opinion in Bengal has not expressed itself more strongly on this matter than it has done in the past.

As far as the Anglo-Indian community is concerned, there was a time—not long ago—when unemployment among the Anglo-Indian community was practically non-existent. But conditions have changed. The opportunities of State employment hitherto open to the community have become restricted owing to competition from other communities. In this connection, I would also like to express the hope that the claims of the Anglo-Indian community for increased and adequate representation in the Provincial, Civil and Judicial and Subordinate Services will receive the sympathetic consideration of the Government. These opportunities, however, cannot absorb the daily growing number of the youth of the community. It is on their behalf that I speak on this demand. It is estimated that 25 per cent. of the adult population of the Anglo-Indian community is to-day without employment. In Bengal, the proportion must necessarily be higher than in any other part of India, Calcutta being the terminus and headquarters of three Class I Railways all of which run through the entire Province. It is not my intention to suggest that the Anglo-Indian community is the only community which is suffering from the effects of unemployment. Perhaps the percentage of unemployment is greater in other communities, but, I can say this without fear of contradiction. Whereas the unemployed of the other Indian communities have the infinite advantages of a joint family system, the Anglo-Indian community is not blessed with this beneficent system. The Anglo-Indian unemployed has perforce to face penury and starvation. His difficulties are aggravated by his comparative higher cost of living.

It is said that the best way to appeal to a man's heart is through his stomach. A Government which devotes due attention to the relief of unemployment and seeks to provide a means of livelihood to the masses cannot fail to win the heart of the governed. All other ideal reforms, I submit, pales into insignificance before this all important need. If I may make a suggestion for the consideration of the Government, the proposals and recommendations of the United Provinces Unemployment Committee, I refer to the Sapru Committee, may form

a useful guide in adopting measures of relief of the kind I have in view—State aided industrial enterprises. Bengal offers greater facilities than, for instance, United Provinces for the successful introduction of many such enterprises. The demand for manufactured articles in a Province which is so advanced as Bengal, is naturally greater and schemes such as I suggest will not therefore be a dead loss to the Government. On the other hand, they will absorb a considerable proportion of the classes of people whose cause I advocate. If the Government intend to adopt the measures of relief I have briefly outlined—

(At this stage the member having reached the time-limit resumed her seat.)

**Mr. ROGERS HAYWOOD:** Mr. Speaker, I should like to say how the European group appreciate the remarks which the Hon'ble Minister made with regard to the formation of a fishery department in Bengal. As I see it, at our very gates there exist vast potentialities for wealth through developing a great fishing industry by commercial enterprise. This would employ many people as well as provide cheaper nourishing food to the population and in this respect I understand that 75 to 80 per cent. of the Bengalees are fish-eaters. The investigations which have been going on from time to time during the last fifty years leave little or no doubt that the fishing grounds in the estuaries and creeks and coastal regions of the Sunderbans are second to none in the world. Further, Sir, it appears to me that so far we have done little or nothing to develop the bounties which nature has provided us. In Bengal, we are still fishing in more or less the same way as 300 or 500 years ago. Yet we live in the 20th Century, with all the advantages of steam petrol, crude oil, increased means of communications and great improvements in refrigeration and in cold storage arrangements.

Sir, it is the estuarine fisheries which I consider to be by far the most important! Unlike the salt water deep seat fisheries of the Bay of Bengal, fishing in the estuaries is possible all the year round, as shelter can usually be found in the creeks under the lee of islands, even during the monsoon months. The chief difficulty in this area, from what I have heard, is the lack of the supply of fresh water for the fishermen. I am aware that along the routes where the river steamers ply, fishing villages have sprung up, but many of the best fishing points are far away from these places, and the fishermen cannot venture to exploit them fully owing to the risks of running out of fresh water supplies. I hope, Sir, that Government will endeavour without delay to provide the public with more information about the fishing grounds and the movements of fish shoals, etc., of these areas. Perhaps Government may be able to send a launch or a small steamer to survey these wild tidal districts and especially to choose a few main points where tube-wells might be sunk to provide a regular fresh

water-supply. This question of water-supply is most important and the main points where fresh water is to be provided should be as far as possible near to those places which are considered to be the best harbours, shelters and safe anchorages. I hope, Sir, that with the further information provided by the Government and perhaps a few main vantage points as to where fresh water can be obtained, capital may be forthcoming to develop the great possibilities that lie in this area. It will be preferable if big capital can be borrowed.

Mr. Speaker, Chowringhée is 8,000 miles from the North Sea and yet we find, at the great Eastern Store in Chowringhée, the Haddock or the Herring at prices as cheap as or even cheaper than the best local fish. Either the Government are apathetic in this matter or there are vested interests that are standing in the way. I submit that all vested interests should be mercilessly swept away, because they stand to prevent a cheaper and better food being supplied to 51 millions of people most of whom are extremely poor.

**Mr. SUKUMAR DUTTA:** I rise to support the cut motion moved by my hon'ble friend Mr. Khaitan. I like to draw the attention of the Government to the inadequacy of the grant for the development of indigenous cottage industries, specially of handloom industry in Bengal. Sir, the present deplorable condition of the villages of Bengal is chiefly due to the gradual decay of this and other village industries. At the time when the British traders came to India, our country was very prosperous with flourishing industries specially, those of the handloom and spinning. Dacca Muslims and silks of Murshidabad catered to the fastidious tastes of the exclusive aristocracies of the world and adorned many a renowned queen of the West. But the British Government which often boast of their wonderful achievements in this country managed quite effectively to destroy these industries. Interests of India were sacrificed in a most unabashed manner for the economic interests of their own country. Every student of History knows how during the earlier part of the British rule in India the most systematic cruel and brutal methods were adopted to cripple and crush the spinning and weaving industries of Bengal for the avowed purpose of making her a dumping ground for British manufactured products. I am sure, Sir, and the House will agree with me that the situation has not improved very much even now. In spite of the establishment of an expensive Industries Department, in spite of all the platitudes of the Ministers in charge of Industries, past and present, the condition of the village industries is becoming worse year after year. If you go to any village in Bengal, Sir, you would be appalled at the pitiable condition of a large number of people who used to earn their living through their handicrafts. In my district of Hooghly about 50,000 people were provided with work through the handloom industry. The handloom weavers used to earn about Rs. 30 to Rs. 50 a month only a

few years back. Now a large proportion of these people are unemployed and those who are fortunate enough to get some work have to be satisfied with a mere pittance of Rs. 8 to Rs. 10 a month. It is a pity that the Government maintains an attitude of callous apathy even when there is such a serious deterioration in a major industry of the province—an industry on which a capital of more than a crore of rupees is invested and which provides for no less than 7 lakhs of workers. The Government did not care to give effect to the suggestion put forward in a report submitted in 1918 by Mr. Hoogewarf then Principal of the Serampore Weaving College, Mr. Everett then Superintendent of Technical Education, and Dr. Naresh Chandra Sen Gupta. In the report there were many practical proposals for putting the weaving industries on a satisfactory footing. But in spite of a reminder by Dr. Naresh Chandra Sen Gupta in his budget speech in 1936 the Department of Industries is still sleeping over it. Countries like Japan and Russia have revolutionized their cottage industries in a very short period through Government initiative while our industries are rapidly decaying through persistent Government apathy.

We naturally expected a radical change in the policy with the inauguration of the much advertised new reforms. We expected from the Finance Minister who represents the Bengal National Chamber of Commerce, an Institution which is a strong advocate of small industries, that he would set apart a substantial portion of the revenue for the development of cottage industries. But when we go through the details of the budget we are pained to find that a paltry sum of Rs. 2,400\* has been allotted for the development of the handloom industries. That I think, Sir, a cruel mockery to the sad lots of the handloom workers who are gradually getting wiped out of existence; of course the sericulture industries are more fortunate in receiving a little better treatment at the hands of the Finance Minister. Even then the amount set apart for the purpose is quite inadequate considering the importance of the sericulture industries.

I appeal to the Minister in charge of Industries and also to the Government as a whole to rise to the occasion and set out in right earnest in really doing something for the development of cottage industries. We are sick of mere words of assurance. What we want is action and immediate action. It is time that the Government shakes off this proverbial lethargy. They should shake off their sense of false prestige and take advice from people other than their armchair departmental experts, people who have an intimate knowledge with rural conditions of Bengal. The situation demands a committee of enquiry which should immediately be formed with officials and non-officials to formulate schemes for the reorganisation of indigenous industries. They should not hesitate to follow the foot steps of Mahatmaji.

(At this stage the member having reached the time-limit resumed his seat.)

**Mrs. HASINA MURSHED:** Mr. Speaker, Sir, in rising to speak on this motion, I wish to invite the attention of the Hon'ble Minister in charge of the Industries Department and also that of the House, to the necessity for making adequate provision for giving industrial training to our women-folk such as would enable them to earn a living where they are bereft of assistance from their male members.

I do not propose, Sir, to make any ex-cathedra statement suggesting what should or should not be done in this direction. I leave that to the expert advisers of the department. But I merely take this opportunity of emphasizing the paramount importance of devising ways and means which would help our women-folk to earn their living under circumstances in which they may find no other monetary assistance available to them.

I am sure it will be admitted that in our province there are a large number of destitute and helpless families who have no male earning members to support them. In consequence, these women have to undergo untold misery and suffering in trying to earn their living. I have exactly these cases in mind when I appeal to the Ministry of Industry to devise ways and means by which these women may be helped to earn their subsistence by cottage industries and such other pursuits as may be undertaken by them in the seclusion of their homes.

I know personally of many instances in which ladies of very respectable family have been passing their days in dire misery—owing to unfortunate circumstance such as the premature and sudden death of their male earning members. If the Department of Industries, for instance, appoint suitable agencies by which training in some cottage industry or other may be imparted to these helpless women and widows, I am sure that advantage will be taken by these ladies of such assistance from the Department, and they would be able to earn their living by the sweat of their brow. For this purpose, I suppose it would be extremely helpful, if the Department were to establish a net work of training centres throughout the province. By doing this, a very real problem will have been solved and in the long run the economic condition of many a home will be improved. I personally know of many widows who have been leading their lives in great misery. The only avenue that is popular is the establishment of small elementary schools. But I think it is a mistake to have recourse to the establishment of primary schools as a means of earning one's livelihood. For, in the first place, most of these ladies are hardly fitted by reason of their poor educational attainments for the avocation of a pedagogue, and in the second place, an undue multiplication of inefficient schools is very much to be deprecated. It is, therefore, extremely necessary that the Department of Industries should do something to help these women and helpless widows to earn their living by undertaking cottage industries in their different forms. As to how best this plan should be accomplished is a matter for the experts, and as I have already said,

I will not venture to trespass on their dominion. With these words, Sir, I endorse the views of the hon'ble mover of the motion.

**Maulvi ABUL QUASEM:** Mr. Speaker, Sir, at the very outset I must thank my honourable friend, Mr. Khaitan, for giving me an opportunity to speak a few words on this important subject, and I begin by frankly stating that want of a comprehensive scheme of industrial development in our country, inadequacy of funds for meeting the same and lack of determination and sincerity of purpose in us are the main causes which are retarding the progress of industrial improvement in our country. Sir, I myself most definitely apprehend that unless a vigorous and constructive action is taken immediately, an economic crisis is unavoidable—a crisis which, I think, would be more serious, more dangerous and more disastrous than the one which we have just experienced. So far as cottage industry is concerned, I should like to say a few words from my own experience in my own district. In my district of Hooghly, embroidery work, commonly known as chikon work was a speciality at one time. People of my district used to go abroad to America, Europe, Australia, New Zealand and other parts of the world and earn a lot of money out of this business. But this industry has now become a thing of the past. America has totally stopped their entry into that country, and in other British Dominions, the rules and regulations have been framed in such a way that it has become practically impossible for these people to secure passports. I appeal to the Hon'ble Minister in charge to take action in this matter and to see that the grievances are remedied.

With regard to other small industries, such as, soap-making, umbrella-making, etc., I submit that these are all gradually dying out. With a view to carry on a propaganda in our district for the encouragement of cottage industries, we have recently started an organisation with the Chairman of the District Board as President, but we have got no sufficient fund to carry on this propaganda work. We all know that after the harvest time is over and before the next harvest season sets in, the villagers have got practically nothing to do. They simply waste their time and energy in either playing cards or joining amateur theatre or jatra parties; sometimes they get themselves involved in party factions and, sometimes they get themselves entangled in some criminal affair of a most heinous nature. We all know, Sir, that an idle man's brain is the devil's workshop. When we see that hundreds of our agriculturists cannot get their food even twice a day I feel tempted to think that the real salvation of our country depends not upon our going through the fantastic curriculum of the Calcutta University, not even upon the introduction of elementary or secondary education in our country, but it depends chiefly upon training the minds of these unsophisticated youths so that they can feel that they have got a stake in their country, and realise that the solution of the *dal bhat* problem really lies on them and on them alone. Therefore,

I would request the Hon'ble Minister in charge to take steps to carry on propaganda work by supplying sufficient funds, by sending out trained teachers to different parts of the country to create an interest in these people and to give ample facilities for the ready sale of the articles produced by them in Government co-operative stores to be established in each district and subdivision.

**Mr. SURENDRA NATH BISWAS:** Mr. Speaker, Sir, I rise to support the motion which has been moved by my hon'ble friend, Mr. Debi Prosad Khaitan. It is an undoubted fact that agriculture is the basis of the economic structure of a country, and that industry comes next. Now, Sir, in the course of debates in this House Government have repeatedly given the assurance that they would give all facilities and would try their level best for the development of small industries, including cottage industries. But I have not heard the Hon'ble Minister suggesting how the Government should proceed in this matter, nor have I heard any member giving any practical suggestion.

So, for to-day's discussion I shall give a few suggestions as to how we can develop small industries into a definite and dependable means of livelihood among the masses and educated community of this province.

Firstly, the agriculturists to whom owing to smallness of holdings agriculture is not a dependable means of livelihood must be given monetary facilities for taking up small industries—as for instance, manufacture of mustard oil, linseed oil, and coconut oil, by utilizing the spare man power and bullock power. We all know that the agriculturists can spare six months on average in a year and that the bullocks are utilized for three months only in a year and go without work for the rest of nine months. With this surplus power, manufactures of other articles of frequent use by the masses for which raw materials are available in the locality may also be taken up. All these manufactures may be encouraged by the Government by establishing firms either on co-operative lines or on group system among the agriculturists, funds being supplied by the Government.

By these suggestions, I mean to impress upon the House the principle that, first of all, the Government should make all possible attempts to increase the purchasing and paying power of the agriculturists who form the vast majority of the people in this province, so that they may easily distribute their surplus to the rest of the population.

Secondly, I suggest that the Government should encourage the development of the existing industries for those who have taken up and intend to take up industry as a means of livelihood. For this purpose, the Government should first select those industries only which have mass demand and which can be produced on the lines of cottage

or small industry, so that they may give employment to a large number of people.

In this respect, the handloom weaving industry comes first to my mind. This is the industry which, has from time immemorial given and still may give employment to millions of our people. But the handloom industry has been killed by machine competition. Now, to revive and protect the handloom industry my suggestions are two-fold, viz., (1) let the Government legislate that no cotton mill in our province shall manufacture *dhotis* and *saris* of yarn of 40 counts and lower, so that the *dhotis* and *saris* of 40 and lower counts, which are generally used by the masses of our country, may be manufactured with handlooms only; and (2) to give effect to the said suggestion let the Government impose by legislation cesses and duties upon cloths of the said counts imported into our province, so that the handloom weavers may compete with the prices of mill-made cloths of similar counts and may thus depend for their living on this industry.

Simultaneously, the Government should encourage the establishment of many more mills in our province. All those mills and the existing mills may produce sufficient yarn and *dhotis* and *saris* of higher counts and other fabrics also, such as, mosquito nets, drills, umbrella cloths, etc.

Thirdly, Sir, the Government may supplement the existing mill industry by encouraging our youngmen trained in the Serampore Weaving Institute and other places, to take up weaving as a cottage industry to be carried on in their respective homes in Calcutta, and other places where electric power is easily available. What I mean is this. A trained youngman may easily handle two power-driven looms. Let a youngman set up two such looms in his house with a motor. In this way, if 5,000 youngmen set up two looms each in this City of Calcutta, we get 10,000 looms, which means the capacity of 10 big weaving mills.

Now, along with setting up these looms, there may be set up an organization which will undertake the work of the sizing of yarn and beaming the same and also of supplying the required beams to those youngmen.

Sir, adverting once more to the utility of having such an organization, I might point out that the 10,000 looms to which I have already referred to, if organized, will work considerably more than the total looms of the various mills in Bengal, e.g., the Kesoram Cotton Mill which has got 1,250 looms, the Bangalakshmi having 725 looms, the Dhakeswari Mill having 800 looms, and Mohini Mills having 600 looms and others.

Then, Sir, the organization I have referred to before or any other institution may undertake to calender the cloths manufactured by those youngmen. In this process this City of Calcutta alone may get the

benefits of ten big weaving mills. And the costs of their production, I am sure, will be less than the costs of production in an ordinary mill, because the costs of land and buildings and overhead expenses will be almost absent in such cases. And thus five thousand youngmen may easily earn Rs. 40 each per month on an average. And if such a youngman trains up other members of his family, he can increase the number of looms and thus increase his income.

We may adopt a similar procedure for manufacturing silk cloths also.

Thus, we may develop the textile industry in our province and give employment to thousands of our people.

Fourthly, I shall speak of another very important industry. I mean the milk industry. In our country-side milk is sold at 20 to 25 seers and at some places even at 52 seers a rupee. And the quantities of milk available in the villages are not small. If we could use this milk for commercial purposes, we could do wonders. On the one hand thousands of our people could be given employment and the peasantry would be encouraged to take up cattle-farming as an additional source of income, and on the other hand we could save lakhs of rupees of our country from being drained away outside. The people in Calcutta alone consume about 10 lakhs of rupees worth of butter in a year—

**MR. SPEAKER:** Your time is up, Mr. Biswas.

**MR. SURENDRA NATH BISWAS:** May I have a minute or so to finish my speech?—and 90 per cent. of this butter is imported into Bengal. Besides that, imported cheese also take away not a small amount. Further, many milk-products, such as, Sanatogen, malted milk, sugar of milk, etc., also, are responsible for the drainage of lakhs of rupees. But, woe to Bengal! Neither the Government nor the monied public have eyes to see to this unfortunate state of things in Bengal where milk is so cheap and is available in abundance. The Industries Department has a duty towards this line of industry also.

But I should submit, these enterprises require money. Let us at the start estimate the capital expenditure to encourage the aforesaid industries for the agriculturists and trained youngmen at 2 crores of rupees. We may not expect the shy capitalists to invest money in these lines. We may not expect the Government also to invest such a big amount for this purpose. But we may expect the Government to encourage the capitalists to invest even such a big amount, if the Government would only guarantee a dividend of, say, 5 per cent.—

(The member having reached the time-limit resumed his seat.)

**Maulvi JONAB ALI MAJUMDAR:** (Spoke in Bengali.)

**Mr. W. C. PATTON:** Mr. Speaker, Sir, I entirely agree that unemployment is the greatest problem that we are faced with to-day in Bengal. But I am not going to dwell on unemployment at length except to say that if work at an average wage is secured by the unemployed, the purchasing power of the people of Bengal will be considerably increased. The real question, however, is what are we to do to get these people employed. If we look at the existing industries in Bengal, we find that it is very difficult to employ all the unemployed in existing industries. The agricultural industries of Bengal depend largely for their demand on world conditions outside Bengal. Those conditions of recent years have necessitated a measure of export control, and although signs are not wanting that there is a considerable improvement in those conditions, the result of overproduction in previous years was so disastrous that it is unlikely that export and crop control will be given up in the near future, if at all. Consequently, the only manner in which we can now utilize the big mass of labour which is unemployed in Bengal is by the development of undeveloped or partially developed primary industries or by industrialization. So far as industrialization is concerned, we have seen that the Government of Bengal are attempting to do this by a system of cottage industries, by the training of detenus, and by encouraging other small industries. And it is premature now to say what the ultimate results of these endeavours will be. But, Sir, if they do one thing, if they develop in Bengal a spirit of industrialism, they will achieve a great deal. The essentials for their success are the same as large-scale industries—the adoption of modern methods with cheap power-supply, a uniformity in quality and output, and deliveries in time. I would like to draw the attention of this House particularly to the question of cheap power. We have in Northern Bengal a huge reserve of hydro-electric power, which is still almost entirely undeveloped. To my knowledge hundreds of thousands of easily developable continuous horse-power in Northern Bengal have not been touched at all. Individual surveys have been made by various people, viz., the late Mr. Robertson; Mr. Stonebridge, Callenders' Cables, and others, and it remains to Government to summarize those surveys and to put them into such a form as to be available for the development of industries. In the Duars we also have a large amount of power required for the tea garden factories, which may form a nucleus road for the utilisation of cheap power.

One of the chief characteristics of cheap electric power is that it develops its own demand. I remember a scheme in New Zealand. There the Government of New Zealand put in a scheme of some 6,000

kilowatts 56 miles from the nearest small town and I remember very well also how that scheme was derided in the press. It was said that the scheme would never be a success and that this power would never be utilised, but within two years the cheapness of power created such a demand that Government had to extend it by another 3,000 or 4,000 kilowatts of power. It is not an uncommon thing for industries to come to the place where there is cheap power.

We need not go so far to find the effect of cheap electric power. In Madras there is a power scheme of 22,000 horse power and in that connection I would read an extract from the "Statesman" of 1st September of this year:—

"Sanguine as the originators of the scheme were of success, they were hardly prepared for the alarming demand for electrical power and energy that arose within two short years of its commencement. Within this period electricity made an unprecedented advance in Madras Presidency, and necessitated the immediate development of the second stage of the system, etc."

This is exactly the experience of cheap electricity all over the world. In the United Provinces we have the Ganges Canal Scheme of 22,000 kilowatts—

(At this stage the member having reached the time-limit resumed his seat.)

**Mr. ABDUR RAHMAN SIDDIQI:** If I am going to get only 3 minutes and if you are going to close the house early, then I had better sit down.

**Mr. SPEAKER:** You have lost 30 seconds already.

**Mr. ABDUR RAHMAN SIDDIQI:** I must say I rise with a sense of disappointment. I thought that the Hon'ble Minister in charge was going to produce a rabbit to-day but he has given it into the safe custody of his colleagues. He has not told us what colour the rabbit is going to have. What he has told us is on what lines he is going to develop the industries of Bengal. A technical school here and an industrial college there do not give us anything substantial. What we want, after the neglect of decades, is that this new Cabinet, with all

the power it possesses, should put things on the way to progress. If necessary, scrap all the industrial institutions existing to-day so that we may start on the path that will ultimately lead us to the goal.

I would suggest that a committee consisting of professors, industrialists, commercial magnates, and workers of Bengal be appointed. Let them put their heads together to find out the means that will satisfy the needs of this department. I am not personally mad after the cottage industry craze. It may be good in its own way but the revitalization of the decaying and dead industries of Bengal is not the only panacea for all our ills. The world has advanced and is advancing rapidly. We have got to keep pace with it. There are key industries and the middle industries and, above all, there is the coal industry. I wish the Cabinet to tell us in its own good time (it has already taken 5 months and it may take more) that it has some plan, some scheme, something that will show that the key industries are going to be looked into and that the questions of their nationalisation will be studied carefully and sympathetically.

It has come to my knowledge that a gigantic scheme of producing electric power is in the air, particulars of which are easily available. If our Government has awakened to its responsibilities, I think the Finance Minister and the Minister in charge of Industries will sit together and come to some sort of an arrangement with the promoters of that scheme so that this gigantic project may become the property of every citizen of Bengal and Bengal may get electric power at a price unheard of.

We had, recently, a Coal Mining Enquiry Committee the report of which is very damaging to the people who own these mines. I want the Industries Department to adopt measures and formulate schemes that would put a stop to these terrible fires in the mines of Bengal. I had a talk with a leading man of science of London who told me that if he were called to Bengal he could put a stop to them in six months.

There ought to be a concerted attempt for the prevention of smoke nuisance. The smoke that we see issuing out of the chimneys really affects the health of the people. I am not a scientist but there are men who can teach us the methods of preventing this nuisance. Not only that. The smoke that disappears into thin air carries away wealth worth millions of rupees. Science, here again, can teach us how to stop this tremendous waste. The money so saved may be spent on education, sanitation and other departments which are being starved to-day. I would even go further and say that if the Cabinet possesses an ideal and an ambition to ameliorate existing conditions the Minister for Finance should float a loan, to the extent even of Rs. 10 crores for the furtherance of industrialisation. If well-planned industries are taken in hand the loan will prove productive.

Bengal will not start if public utility schemes again are taken in hand by the Government. These services being of public utility should not be left in the hands of corporations. We may have our views on State management versus Company management; it may be a controversial point but from the manner in which the railways are being managed I feel that there is a case for the Government taking charge of public utility services. I do hope the Minister in charge will take into consideration my appeal to him for a Committee. He may take departmental advice, he may have his Department of Industries and its branches and sub-sections but if he sticks to old ways and methods we had better give up all hope of any betterment.

There is an Industrial Credit Syndicate with which I am connected to assist artisans and technical men from amongst our educated unemployed. It is a good scheme but it only touches the fringe of the subject. It requires finance, it requires intelligent guidance and unless and until we put our heads together and plan out a real scheme of industrialisation for Bengal I do not think that this tinkering with the subject, as we are doing now, would lead us anywhere or bring us any benefit.

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:**

Sir, let me first give a reply to the speaker before last who spoke about large hydro-electric schemes. I may inform him that hydro-electric does not come under my purview but it comes under the Minister for Commerce and Labour and I will request the Hon'ble Minister for Commerce and Labour to take a note of it. Secondly, Sir, the last speaker thought that I have not presented a comprehensive scheme and that I said in my speech that I had one scheme for cottage industries. Sir, I may tell him that with regard to big industries the question is very difficult and Government could do very little in this direction: it is for the public to come forward and lay out capital. If he has any big scheme which he likes to inform me about I shall be very glad if he comes and discusses with me, after the session is over, its possibilities and I will look into the matter. He also talked about rabbits and all that. I hope I shall not trouble you with an Australian rabbit.

Mr. Abul Quasem also said that there was no comprehensive scheme in regard to industries. I am sure, Sir, he did not hear me when I spoke. If he had, he would have realised that there was a comprehensive scheme about which I spoke. In fact he was asking me about some passport, but that does not belong to my department: it belongs to my colleague the Minister in charge of the Home Department. If he can see his way to apply to him he will no doubt get the passport for whom he wants it.

Another speaker Mr. Sukumar Dutta said that only Rs. 2,000 was granted for handloom industry. I think, Sir, he has not read the budget. If he had done so he would have found that a sum of Rs. 43,000 has been provided in this year's budget for this purpose.

**Mr. SUKUMAR DUTTA:** On a point of personal explanation, Sir—

**Mr. SPEAKER:** This is no time for interruption and no personal explanation is needed on this.

**The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:** He would have found at page 311 of the brown book that a sum of Rs. 4,67,000 has been provided for expenditure on the development of industries and over half of this sum has been provided for the improvement of handloom industry. At page 315 he will find that a sum of Rs. 41,000 has been provided for the development of handloom industry. Again, Sir, on page 307 it will be found that a sum of Rs. 1,15,500 has been provided for the same purpose. So it is quite incorrect to say that a sum of Rs. 2,400 has been provided for this industry.

In reply to my honourable lady friend Mrs. Morshed I may say that the Industries Department has already given a certain amount of grant to the ladies' industrial school and I may tell here that I shall bear in mind what she has said with regard to any future scheme.

I am very glad to hear what my honourable Mr. Khaitan has said with regard to cottage and small industries and I appreciate it very much. I can only say that Government will concentrate more than before on small and cottage industries.

The schemes are designed to enable the existing artisans to use their art and by using better appliances and better methods to compete successfully in the modern market. The only successful method of enabling the artisan to learn is practical demonstration and this must be accompanied by constant research to reduce his costs of production and to devise labour-saving appliances. Then again there is marketing. Take the handloom weaver we are providing new appliances at Serampore to increase his earning capacity. We give practical demonstration of new looms, new methods, new designs and in the co-operative budget passed yesterday is a sum of Rs. 1,15,000 which is to improve marketing as well as to encourage co-operative production of handloom products. Government is doing and given more money will do everything it can to promote cottage industries to

revive old ones and assist new ones. There are many schemes in the new plan which will benefit the artisan and cottage worker as well as schemes that will help the urban unemployed to find profitable occupation.

I hope in view of this assurance the honourable member will withdraw his motion.

**Mr. D. P. KHAITAN:** In view of the assurance given by the Hon'ble Minister I beg to withdraw my motion.

The motion was then by leave of the House withdrawn.

The original motion of the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca, that a sum of Rs. 16,14,000 be granted for expenditure under the head "43—Industries" was then put and agreed to.

#### Adjournment.

The House was then adjourned till 10-30 a.m. on Saturday, the 4th September, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled  
under the provisions of Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Saturday,  
the 4th September, 1937, at 10-30 a.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.)  
in the Chair, the eleven Hon'ble Ministers and 207 members.

**STARRED QUESTIONS**

(to which oral answers were given)

(Starred Question No. 95 could not be answered as the Hon'ble  
Minister in charge was not present at the time when it was called by  
Mr. Speaker.)

**Clerks in the office of the Magistrate-Collector, Dinajpur.**

**\*96. MAULVI ABDUL JABBAR:** (a) Will the Hon'ble Minister  
in charge of the Revenue Department be pleased to lay on the table a  
statement showing separately—

- (i) the number of permanent and temporary clerks, both Hindus  
and Mussalmans, in the Collectorate and Magistracy of  
Dinajpur; and
- (ii) the number of them who are natives of the district?

(b) Will the Hon'ble Minister be pleased to state the communal  
ratio according to which these appointments are being made?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble  
Sir Bijoy Prasad Singh Roy):** (a) A statement is laid on the table.

(b) The minimum proportion of clerical appointments in district  
offices to be held by Muhammadans is one-third.

There is no fixed proportion for Hindus in general. But existing  
orders require one candidate to be recruited from backward classes and  
minority communities against every four temporary vacancies, provided  
qualified candidates are available. Backward classes include scheduled  
castes.

*Statement referred to in the answer to starred question No. 96, showing the number of permanent and temporary clerks in the office of the Magistrate-Collector of Dinajpur.*

(i) (a) *Permanent clerks—*

Hindus	37
Muslims	24
Total	61

(b) *Temporary clerks—*

Hindus	15
Muslims	8
Total	23

(ii) *Number of clerks who are natives of the district—*

(a) *Permanent clerks—*

Hindus	13
Muslims	19
Total	32

(b) *Temporary clerks—*

Hindus	4
Muslims	7
Total	11

### UNSTARRED QUESTIONS.

(to which answers were laid on the table)

(Unstarred Questions Nos. 72 to 75, were called, but as the Hon'ble Minister in charge was not present, they were left over for the time being.)

**MR. SPEAKER:** I am very sorry to note that the Hon'ble Minister is not here. He perfectly knows that the House is sitting at 10-30 a.m. to-day when he will have to answer a number of questions. I have

already left out one Starred Question standing in his name and I find there are a number of Unstarred Questions. I would draw the special attention of the Hon'ble the Leader of the House to it so that the time of the House is not wasted in this manner in future.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I will see to that, Sir. I am sorry for his absence.

### Chittagong College.

**76. Babu MOHIM CHANDRA DAS:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state the percentage of students in the Chittagong College according to—

- (i) Hindus;
- (ii) Musalmans; and
- (iii) Buddhists?

(b) If the Hindus form a large majority, are the Government considering the desirability of a Hindu hostel to be attached to that College?

**MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** (a)—

- (i) 59·1 per cent.
- (ii) 34·7 per cent.
- (iii) 4·7 per cent.

(b) No proposal for the establishment of a Hindu hostel is now before Government.

### Number of students receiving education in the primary schools.

**77. Mr. AMRITA LAL MANDAL:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state the number of students that are receiving education in the primary schools of the different districts after the introduction of the District School Board?

(b) Is there any improvement in the primary education due to the introduction of the District School Board system? If so, what?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (a) A statement is laid on the table.

(b) Yes; District School Boards have (1) made a survey of primary schools in the district with a view to redistribute schools where necessary, (2) begun raising the status of lower primary schools to upper primary schools, so far as their funds permit, and (3) started replacing untrained teachers by trained teachers as far as circumstances permit.

*Statement referred to in the answer to clause (a) of unstarred question No. 77, showing the number of students that are receiving education in the primary schools of the different districts after the introduction of District School Boards.*

District.	Total number of pupils in primary schools.
Dinajpur	71,672
Rangpur	105,398
Jalpaiguri	36,013
Bogra	57,715
Pabna	57,889
Nadia	53,051
Murshidabad	41,329
Birbhum	36,910
Dacca	142,887
Mymensingh	192,310
Chittagong	111,032
Noakhali	101,365

**Khan Bahadur MOHAMMED ALI:** Has there been any increase in the number of students in the primary schools?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not prepared to answer that at the present moment and I would require notice.

**Mr. DHIRENDRA NATH DATTA:** With reference to the statement appended to this answer what is the position with regard to the other districts not mentioned in the statement?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** These are the only districts where school boards have been introduced. As regards the other districts statistics will be supplied if I get notice.

**Mr. DHIRENDRA NATH DATTA:** Does the Hon'ble Minister think it desirable to introduce the school boards system in all the districts?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** That is a request for action and that requires the matter to be considerably invested into before I can decide what is to be done.

**District Sub-Registrar of Dacca.**

**78. Nawabzada K. NASARULLA:** Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to state—

- (i) how much was spent in the travelling expenses by the last District Sub-Registrar of Dacca, during the period of his office as such;
- (ii) how much is spent by the present incumbent since his appointment to this post;
- (iii) how many days did he spend in the inspection of each office in the years 1935-36 and 1936-37; and
- (iv) how many clerks did he take with him in the years 1935-36 and 1936-37?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (i) to (iv) The information is not readily available.

**Educational qualifications for typists and copyists.**

**79. Rai HARENDRA NATH CHAUDHURI:** (a) Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to state how many of the total number of typists and copyists attached to the department at present have not got the requisite educational qualifications laid down for similar posts under Government?

(b) What are the educational qualifications laid down for the recruitment of typists or copyists?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (a) The information is not readily available.

(b) Until recently there was no rule laying down the minimum educational qualifications, but the Inspector-General of Registration, Bengal, has recently promulgated a rule by which only matriculates will be eligible for such posts.

**Khan Bahadur Maulvi FAZLUL QUADIR:** With reference to answer (b), what will be the fate of the extra muharrirs who are serving in the Registration Department for a long time but are not matriculates?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware but I might make an enquiry.

**Rai HARENDRA NATH CHAUDHURI:** With reference to (b), is this the minimum qualification required for typists and clerks of other departments as well?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I think so, but I am not quite sure.

**Number of hostels for scheduled caste students.**

**80. Mr. BIRAT CHANDRA MANDAL:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state the number of hostels in Bengal exclusively for the use of students who are members of scheduled castes?

(b) Is the Hon'ble Minister aware of the want of hostel arrangement towards the progress of education of scheduled castes' students in Bengal?

(c) If the answer to (b) is in the affirmative, will the Hon'ble Minister be pleased to state what steps are being taken in the matter?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (a) Six specially for scheduled castes, but there are hostels also for other backward classes.

(b) No inconvenience or hindrance to studies has been brought to my notice.

(c) Does not arise.

**Mr. BIRAT CHANDRA MANDAL:** Is the Hon'ble Minister aware that more hostels are required for the scheduled castes?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Representations have been made to me to that effect.

**Mr. BIRAT CHANDRA MANDAL:** Is it a fact that the scheduled castes demand two hostels—one at Bagerhat and the other at Faridpur?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I cannot remember the names but I have received representations from several districts.

**Licence fees on fuel wood and other necessary forest produces.**

**81. Khan Bahadur JALALUDDIN AHMAD:** (a) Is the Hon'ble Minister in charge of the Forests and Excise Department aware of the prevalent discontent among the peasantry of Bengal owing to the imposition of licence fees on fuel wood and other necessary forest produces and introduction of different passes for one cultivator's use of different kinds of timber under the Indian Forest Act and Rules thereunder?

(b) If so, will the Hon'ble Minister be pleased to state if the Government contemplates the introduction of any Bill to amend the Forest Act or Rules thereunder simultaneously with the amendment of Bengal Tenancy Act, for relief of poor tenants of Bengal?

**MINISTER in charge of FORESTS and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikat):** (a) No: but there has been a complaint from an association in Chittagong, and this is under investigation.

(b) No.

**Al-haj Maulana Dr. SANALLAH:** What is the name of the Association mentioned?

**The Hon'ble Mr. PRASANNA DEB RAIKAT:** I ask for notice.

**Basis on which the assessment regarding cess on income from land was fixed at Bankura.**

**82. Mr. KAMAL KRISHNA ROY:** (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing for the district of Bankura—

(i) the basis on which the assessment regarding cess on income from land was fixed; and

(ii) whether the said cess was fixed on the market price of the commodities produced from land?

(b) If the answer to (a)(ii) is in the affirmative, will the Hon'ble Minister be pleased to state—

(i) the market value of the commodities when the said cess was levied; and

(ii) the present market value of those commodities?

(c) Will the Hon'ble Minister be pleased to state the average produce of crops per acre in the district of Bankura—

(i) when the assessment was made; and

(ii) at present?

(d) Is the Hon'ble Minister aware—

(i) that the present price of the commodities, especially of paddy has gone down considerably since the time of the last assessment; and

(ii) that there has been a great slump in the paddy business and a great repercussion in the paddy market?

(e) If the answers to (d) are in the affirmative, will the Hon'ble Minister be pleased to state whether Government intend taking immediate steps—

(i) for the reduction of the cess on income from land imposed upon the people of Bankura; or

(ii) an immediate enquiry as to the local condition of the paddy market of Bankura with a view to removing the grievances of the people?

**The Hon'ble Sir BIJOY PRAŠAD SINGH ROY:** (a) (i) On the annual value, as defined in section 4 of the Cess Act, 1880.

(ii) No, except in case of produce refts.

(b) (i) Rice was 6 to 8 seers to the rupee, when the revaluation was in progress (1922-1926).

(ii) At present it is 10 to 11 seers.

(c) (i) 15 to 16 maunds per acre, according to the Settlement Officer's estimate.

(ii) Probably the same.

(d) (i) Yes.

(ii) Yes. The slump reached its lowest level in 1932-33. Prices have considerably improved since then.

(e) (i) and (ii) No.

**Clerks in the office of the Registrar of Assurances, Calcutta.**

**83. Rai HARENDRA NATH CHOUDHURY:** Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(i) the names of the clerks serving at present in the office of the Registrar of Assurances, Calcutta, with their—

(1) dates of appointment,

(2) qualifications,

- (3) grade of salary at the time of appointment, and
- (4) the present grade of salary;
- (ii) the names of the permanent copyists serving at present in the aforesaid office with their—
  - (1) dates of appointment,
  - (2) qualifications,
  - (3) scale of salary at which appointed, and
  - (4) the present scale of salary; and
- (iii) the names of extra-copyists serving at present in the aforesaid office with their—
  - (1) dates of appointment,
  - (2) qualifications, and
  - (3) average monthly income?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Separate statements showing the particulars are placed on the Library table.

**Vesting of powers of Certificate Officers to certain Khas Tahsildars in Noakhali.**

**84. Mr. SYED ABDUL MAJID:** (a) Is the Hon'ble Minister in charge of the Revenue Department aware that—

- (i) certain Khas Tahsildars in the district of Noakhali who are Kanungos have been vested with powers of Certificate Officers under the Bengal Public Demands Recovery Act, 1913; and
- (ii) that the result has been very anomalous as the functions of certificate-holder responsible for collections and those of the Certificate Officer have been vested in one and the same person?

(b) If the answers to (a) are in the affirmative, will the Hon'ble Minister be pleased to state whether Government are prepared to consider the desirability of dividing the functions as before and appointing responsible and experienced officers not below the rank of Sub-Deputy Collector as Certificate Officers who will have nothing to do with collections?

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** (a) (†) Yes. There are two such officers.

(ii) In theory the combination of two functions in the hands of one officer may appear to be objectionable, but Government believe that in practice the arrangement is to the benefit of the Khasmahal tenants, as (i) they are more likely to get sympathetic consideration at the hands of the Khasmahal Certificate Officers and (ii) they do not have to go to the mainland crossing big rivers to arrange for payment or to conduct their cases.

(b) There are not enough certificates to justify the appointment of separate Certificate Officers in some of the Khasmahal circles.

#### Upper primary schools.

**85. Rai HARENDRA MATH CHÓUDHURY:** Will the Hon'ble Minister in charge of the Education Department be pleased to state the number in each district of the upper primary schools—

- (i) that exist at present; and
- (ii) that existed in 1912, 1917, 1922, 1927 and 1932?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** A statement is laid on the Library table.

#### STARRED QUESTIONS

(As the Hon'ble Nawab Musharruff Hossain was present at the time when Unstarred Question No. 85 was disposed of, the Questions both Starred and Unstarred, standing in his name, were taken up.)

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I must apologise to you, Sir, for having come a little late which was unavoidable.

**Witness sheds in the civil courts in the Rangpur district headquarters.**

**\*95. Haji SAFIRUDDIN AHMED:** (a) Is the Hon'ble Minister in charge of the Judicial and Legislative Department aware that there are no witness sheds in the civil courts in the Rangpur district headquarters?

(b) If so, does the Government contemplate erection of the same in the civil courts at Rangpur at an early date?

**MINISTER in charge of JUDICIAL and LEGISLATIVE DEPARTMENT (The Hon'ble Nawab Musharruff Hossain, Khan Bahadur):** (a) and (b) There is no proposal before Government for the erection

of a witness shed at Rangpur. It is for the District Judge to initiate action if he considers that such sheds are necessary. I should like to see every court provided with a witness shed, where necessary, but finance is the ruling factor. I shall do my best to press for funds for the improvement of civil court buildings.

**Mr. SYED ABDUL MAJID:** Is the Hon'ble Minister aware that there are no witness sheds in many districts?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** Yes.

**Khan Sahib Maulvi S. ABDUR RAUF:** Is the Hon'ble Minister aware that there was a witness shed attached to the Criminal Court building at Rangpur which has been converted into a Bengal Tenancy Act Office?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I am not aware, Sir.

**Maulvi ABU HOSSAIN SARKAR:** Has any representation been received from Rangpur for building a witness shed in that locality?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I would refer the member to the printed question and answer to that effect.

### UNSTARRED QUESTIONS

**Filling up of clerical appointments and also appointments other than clerical from members of the scheduled castes.**

**72. Mr. KIRIT BHUSAN DAS:** (a) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state if any directions have been issued to the District Judge of Murshidabad for filling up clerical appointments and also appointments other than clerical from members of the scheduled castes?

(b) If the answer to clause (a) is in the affirmative, what are the directions issued?

(c) If the answer to clause (a) is in the negative, are the Government considering the desirability of fixing percentage and taking early steps for recruitment from the members of the scheduled castes when filling up vacancies?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**

(a) Yes, in respect to clerical appointments only.

(b) The member is referred to the answer given to clause (b) of the unstarred question No. 32 asked by Mr. Rasik Lal Biswas on the 24th August, 1937.

(c) Does not arise.

#### Supplementary questions.

**Maulvi ABDUL BARI:** With reference to answer (a), when was the order communicated to the District Judge of Murshidabad?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I require notice.

**Maulvi ABDUL BARI:** Has any appointment been made since the communication of that order?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** I want notice.

**Maulvi ABDUL BARI:** Does that order relate to the question of promotion.

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** No, Sir.

#### Percentage of Muhammadans in the ministerial posts in the various offices.

**73. Mr. SYED ABDUL MAJID:** (a) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state—

(i) the percentages of employments of Muhammadans in the ministerial posts in the offices of the District Judges and Munsifs both in the upper and lower divisions; and

(ii) the total number of appointments made from January, 1934, to June, 1937, in the various offices?

(b) Is the Hon'ble Minister aware that in the opinion of the Government the percentages of employments of Muhammadans in the ministerial posts in the various offices being far below the required

standard the Government contemplated an investigation in the matter (*vide* letter Nos. 8317-8342-J.—addressed by the Secretary to the Government of Bengal, Judicial Department, to all the District Judges) with a view to effect improvement in the situation?

(c) Will the Hon'ble Minister be pleased to state if the investigation has been made and, if so, what step has been taken for securing the Government aim in this connection?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**

(a) The member is referred to the answer given on the 31st August, 1937, to his own unstarred question No. 56 in which he asked for substantially the same information.

(b) The letter in question did not relate to the question of employment of Muhammadans but to that of minority communities and backward classes.

(c) The member is referred to the answer to clause (b) of unstarred question No. 32 asked by Mr. Rasik Lal Biswas on the 24th August, 1937, and to the copy of letter No. 9898 A., dated the 21st September, 1936, which was given on the statement appended to that answer.

**Assistant Secretary, Judicial Department.**

**74. Mr. ABDULLAH-AL-MAHMOOD:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state whether the Government is considering the desirability of appointing a Muhammadan in place of the present Assistant Secretary, Judicial Department, on his retirement from service?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:** The extended tenure of appointment of the present Assistant Secretary does not expire until the 5th January, 1939; the question of his successor has therefore not yet been considered.

**Transfer of Fulbari and Gangarampur thanas of the Balurghat subdivision.**

**75. Maulvi MAFIZUDDIN CHAUDHURY:** (a) Is the Hon'ble Minister in charge of the Judicial and Legislative Department aware—

(i) of the transfer of the Fulbari and Gangarampur thanas of the Balurghat subdivision from the civil jurisdiction of the Balurghat Munsifi to that of the Sadar Munsifi;

(ii) of the retention of the criminal jurisdiction of the Balurghat criminal court over these two thanas; and

(iii) that the litigant public have to go to Dinajpur for civil business and to Balurghat for criminal business?

(b) Do the Government intend to restore those two thanas to Balurghat Munsifi where there are two Munsifs?

**The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:**

(a) Yes.

(b) No. Government have no such proposal before them at present.

#### Short-notice Question.

**Khan Bahadur Maulvi HASHEM ALI KHAN:** (a) Is the Hon'ble Minister in charge of the Revenue Department aware:—

(i) that acute distress and famine have broken out in the southern part of the Patuakhali subdivision of the district of Bakarganj;

(ii) that a woman died of starvation;

(iii) that a non-official Relief Committee has been formed at Barisal to give relief to the distressed; and

(iv) that the District Board also has started some relief work in the distressed area?

(b) Has the Hon'ble Minister or the Hon'ble Chief Minister received any copy of a resolution passed in a public meeting held at Barisal recently asking for help from the Government to cope with the distress?

(c) Do the Government consider it desirable to take immediate steps for removing the distress?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** (i) There is distress in Patuakhali subdivision owing to poor crops for the last two years, recent epidemic of rinderpest, and failure of the *aus* crop owing to insectpest. The situation has been complicated by contraction of private charity and agricultural credit.

(ii) The *Azad* of 4th August, 1937, published an information that one Achya Khatoon, 10 years old daughter of one Kobad Ali of Basbaria, died for want of food. On enquiry the allegation was found to be untrue. I have no information of any other alleged death due to starvation.

(iii) Government have no official information about this.

(iv) The District Board have started test works in seven centres.

(b) No.

(c) The situation is being carefully watched by Government and steps have already been taken to alleviate the distress. Rupees 70,000 have been allotted to the Collector of Bakarganj for agricultural loans. More is being allotted for gratuitous relief out of the Central Fund.

### Supplementary Questions.

**Mr. ABDUL WAHAB KHAN:** What is the amount distributed or proposed to be distributed by way of gratuitous relief?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I ask for notice. But I may say that day before yesterday Rs. 2,000 was handed over to the Collector to augment the money already placed at his disposal.

**A Member:** Is the Hon'ble Minister aware of the fact that according to the Famine Commission Report if there is six annas less of produce, Government will suspend revenue to the extent of four annas, if there is eight annas less, Government will suspend revenue to the extent of six annas, if the produce is twelve annas less, Government will remit ten annas of revenue? Will the Government proceed on that basis after due enquiry without giving stereotyped answers?

**Mr. SPEAKER:** Order, order: you are putting a question not only in the form of a speech, but towards the latter part you are making a reflection on the manner in which an answer is given. You cannot make any reflection or impute a motive. Your question should have been in the following form—Is the Hon'ble Minister prepared to consider the desirability of, etc., etc.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I can inform the Hon'ble Member that Government will proceed in accordance with the rules laid down in the Famine Code.

**Mr. A. M. ABDUL HAMID:** Is it possible to start Test Relief Works during the rainy season?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** It has been started. That is a fact, Sir.

**A Member:** Is it not a fact that the famine is due to the heavy mortality in cattle in the affected area?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I have already stated that there was a rinderpest epidemic.

**Mr. SYED JALALUDDIN HASHEMY:** Is the distress in question acute or ordinary?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** It is ordinary in nature at present.

**Khan Bahadur HASHEM ALI KHAN:** Will Government permit the District Board to spend money for distribution of rice and other things in the distressed area?

**Mr. SPEAKER:** I think it is a hypothetical question and is a question for action.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Government have not yet declared it to be an acute distress so that the question is hypothetical.

**Mr. SYED JALALUDDIN HASHEMY:** Has the news published in the *Azad* about the death of a certain woman in the affected area been enquired into?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Yes, very carefully. It was found to be wholly incorrect.

**Mr. JOGESH CHANDRA GUPTA:** How many meals had she before her death?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** The death was due to fever. It was not a case of starvation. She had been ailing for sometime. She was the daughter of a beggar. The father is an indolent fellow who would not earn his living. The President of the Union Board of the Area offered him a job which he did not accept. The result was that the family had to suffer. This poor girl died of fever and not of starvation. Government did very carefully enquire into the matter.

**Mr. ABDUL WAHAB KHAN:** Will the Hon'ble Minister let us have a statement thana by thana showing the degree of the distress prevailing and the number of people affected?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I ask for notice.

**A Member:** What action has been taken on the representation made to the Government of India and forwarded by them to the Government of Bengal by the inhabitants of Amtoli thana for relief from the cattle mortality?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I have no information on the subject.

**Dr. NALINAKSHA SANYAL:** With reference to the statement that the woman died of fever, is it not a fact that in all cases of death from starvation there is a rise in temperature prior to death?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** The case was very carefully enquired into and Government are satisfied that this was not a case of starvation.

**Mr. M. SHAMSUDDIN AHMED:** What is the name of the officer who enquired into the matter?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** The information has been received from the District Magistrate.

**Mr. SASANKA SEKHAR SANYAL:** Was any Doctor deputed to enquire into the matter?

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** I ask for notice.

#### Reference to newspaper reports of an offending nature.

**Mr. SPEAKER:** Ladies and gentlemen of the House, before we proceed with the normal business of the day I am compelled to bring to the notice of the House a newspaper report which makes a grave reflection on the conduct of the proceedings in this Assembly. I refer to *Dainik Basumati* of 4th September, 1937, in an Editorial note of which the following passage occurs:—

“বে ব্যবস্থা পরিষদে খাজা নবাব হাবিবুল্লাহ অনারাসে বলিতে পারেন, তিনি বাঙ্গালার কৃষক ও শ্রমজীবী লোক লোক শোকেব জন্য তাঁহার সর্বস্ব ত্যাগ করিতে প্রস্তুত (To give up all that I possess in order to improve the lot not merely of the peasants but the toiling millions of Bengal)—পরং বাবু কি মনে করেন, সেই পরিষদেও গাভীরা প্রতিষ্ঠিত করা যায়?”

The translation is—

In that Legislature where Nawab Khwaja Habibullah can say, “I shall give up all that I possess to improve the lot not merely of the peasants but the toiling millions of Bengal,” does Sarat Babu think that in that Assembly decorum and dignity can be maintained?

I consider that attack on the part of the *Dainik Basumati* to be a grave reflection. I give that paper an opportunity to make suitable amends in course of to-morrow; otherwise I should be compelled to take drastic steps.

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir. I should like to refer to a matter which arises out of this ruling of yours. May I most humbly draw your attention to the news reported in some of the newspapers of the proceedings of this Assembly, particularly to the news that appeared in the *Statesman* yesterday with regard to some of my observations on the working of the Co-operative Department and the reply given by the Hon'ble Minister thereto. In that report it is stated that Dr. Sanyal made many baseless charges to which strong exception was taken by the Hon'ble Minister. The Hon'ble Minister took exception only to the incorporation of my note in the proceedings of the day's meeting and not to the charges themselves. I submit this is a wrong report and so far as I have looked up parliamentary practice in May and other books I submit that the rule is that newspaper reports should be a true and correct picture of the actual happenings and no other picture should be given which may be misleading and unfounded. I submit if this Editorial note of "*Basumati*" has in any way reflected on the prestige of the House, the news report of the "*Statesman*" has affected the prestige and the dignity of the members and of the House too to a great extent and I expect a ruling on this point from you.

**Mr. SPEAKER:** I shall consider your point and will give you a ruling either on Monday or on Tuesday.

**A point of order regarding allocation of the first hour of the business to questions.**

**Al-Haj Maulana Dr. SANALLAH:** I rise to a point of order, Sir. Rule 22 of the Rules and Standing Orders provide that the first hour shall be available for answering questions. To-day we have had only 15 minutes devoted to them.

**Mr. SPEAKER:** Dr. Sanaullah, I would advise you to note that it is desirable for us not only to be lawyers and advocates but also to be jurists. I suppose Dr. Sanaullah will agree with me when I say that it is necessary to stick to the underlying principle of the law rather than to allow its mere phraseology to have effect. The Speaker has absolute discretion in the exercise of his power to see that the debate is carried on in a reasonable manner. Considering the fact that the time of the House is so short and also the fact that various other matters are so often raised, I think I shall not be justified in dragging on the questions beyond the usual time that I have been allowing to them.

**Mr. ABDUR RAHMAN SIDDIQI:** Is there any specific provision, Sir, under which the Speaker has got the discretion—

**Mr. SPEAKER:** Order, order: Mr. Siddiqi should have known by this time that even though one hour rule is there in case there are no supplementary questions and the questions are over before the first hour, the rule does not intend that I should postpone the debate without taking up the next business. I do not think that this rule is mandatory that the first hour entirely must be devoted to questions. It says that the first hour shall be available for question and I would interpret it to mean that the first hour will be available for questions if the Speaker thinks that it is reasonable to carry on with questions up to that period provided there are sufficient supplementary questions. I do not think that it is a mandatory provision that the Speaker must allow the entire first hour for questions.

**Regarding Mr. Speaker's consent to an adjournment motion.**

**Dr. NALINAKSHA SANYAL:** I was just looking forward to the moment when I could draw your attention to the adjournment motion of which a notice has been given by a member of this party. May I know what is the present position with regard to the motion?

**Mr. SPEAKER:** I am considering the point as to whether I should give my consent or not, the reason therefor being that when the notice was given for the first time it was not moved. Then, on the second occasion it was also not brought in. I have been seriously considering whether in the circumstances I should give my consent to it. I shall consider the point further to see whether consent should be given on Monday next.

## THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

### DEMAND FOR GRANT.

#### 10—Forests.

**MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikat):** On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 11,27,000 be granted for expenditure under the head "10—Forests."

Under the previous constitution forests including the preservation of game were a provincial matter but the powers of the Provincial

Legislatures to make changes in forest law were limited. By the present constitution, however, this limitation has been removed.

Another important effect of the introduction of Provincial autonomy is that recruitment of officers to the Indian Forest Service has ceased. It is contemplated, therefore, to form a new Provincial Forest Service, from which the higher posts in the Department will eventually be filled; and to make arrangements, in consultation with the Government of India, for the training of recruits to this new service at Dehra Dun. These and other allied matters are subjects in which all Provinces are interested and it is desirable that there should be uniformity with regard to the organisation and training of Provincial Forest Services throughout India. The Government of India have suggested, and this Government have agreed that there should be a conference next October, of Provincial representatives, to discuss reorganisation proposals and secure uniformity.

The most important question of policy with which this Department are now confronted is how to tackle the evils resulting from the gradual disappearance of the forests of Western Bengal. These evils are soil erosion, decrease in fertility of the soil and more frequent occurrence of flood and drought. It is admitted by all leading authorities that the evils consequent on wholesale destruction of forests are very great indeed. Experience has been similar in this respect all over the world, and all progressive Government nowadays are taking active steps not only to conserve existing forests, but to reforest denuded areas. Soil erosion means that the fertile top of layer containing the essential humus is washed away leaving the infertile sub-soil exposed. When rain falls on such land, the water quickly runs off, instead of soaking into the ground. The result is heavy flooding in the rains, with destruction of crops; utter drying up of the soil in the dry season; diminution in the flow of springs and perennial streams; silting up of rivers; and the drying up even of large rivers, during the Summer. All this is accompanied by decrease in the average humidity of the air, and increased evaporation from the surface of the soil owing to the greater dessicating effect of the wind; by increasing severity of climate and by gradual diminution of cultivation. The final and inevitable result, in semi-arid regions, is that desert conditions supervene, and the population rapidly decreases. Terracing for paddy cultivation to some extent counteract the evils of forest destruction as the ridges hold up the water, and allow it to soak into the sub-soil. But there are large areas in West Bengal which have been, or are being denuded, without any terracing to hold up the rain water. These areas contain either timber or fire-wood or even good grazing for cattle.

It is a matter of common knowledge that floods are more common and serious in Burdwan district than they used to be. The Damodar in particular has degenerated. Its bed has silted up, and it shows a tendency to come down to disastrous flood whenever there is heavy rain

in the catchment area of the river. This deterioration in the Damodar is very largely due to the destruction of forests in the hills of Bihar, where the river has its source.

The Bihar Government has taken up re-afforestation in earnest, and has made successful experiments in renovating denuded land.

It is hoped that these measures taken in a sister Province will continue. But this province must follow suit, in the interests of the people, and to prevent what may eventually amount to a national disaster.

Some forest owners in West Bengal are taking a certain amount of care with their forests. Others, however, are gradually destroying their own valuable property or allowing it to be destroyed.

They are like men who live on their capital, instead of making prudent investment and living on the interest. Unfortunately their loss is also the loss of the State. A national asset is being wasted, for once a tract of forest has been denuded, it is a very expensive matter to re-afforest. Prevention in this case is better than cure. It is sounder policy to take steps in good time to preserve what remains than to allow the whole countryside to be laid bare and then have to spend crores on undoing the mischief.

This is the existing state of affairs, and Government are anxiously considering what should be done, and how the state can effectively intervene in the interest of the country and the people as a whole.

Government have not yet decided on the proper line of action, but in the meantime they are collecting facts and figures about the condition and management of private forests in West Bengal, and a provision of Rs. 2,120 has been made in the current year's budget for this purpose. In this connection, Sir, let me inform the House that we have decided to appoint a committee to investigate into the matter.

*Preservation of Game.*—The next important question that is receiving the attention of the department at present is the preservation of wild life. This is a matter of world wide interest and there have been conferences recently, all over the world. In 1935, an all-India Conference on the subject was held at Delhi. It has been generally agreed in such conferences that the present game laws should be tightened up with a view to protect the rarer and more valuable forms of wild life from extinction, and that stricter control should be exercised over the activities of sportsmen and *shikaris*. The Forest Department of Bengal are endeavouring to arrange for this stricter control. It is hoped that in these efforts they will receive increasing support from public opinion.

Now, Sir, I come to the budget. Previously Forest expenditure used to be shown under three heads, viz.:—(1) "8—Forest" representing revenue expenditure, (2) "52A—Forests—Capital outlay not

charged to revenue" representing capital expenditure and (B) "8A—Forest—Capital outlay charged to revenue" showing the capital expenditure ultimately met from Provincial revenues. Interest was charged for capital expenditure even if it were from Provincial revenues. This commercial system of forest accounting was introduced from 1927-28 under the orders of the Secretary of State. Recently, however, the system has been changed throughout India. With effect from the budget for 1937-38, capital expenditure is no longer to be separately shown in the budget, except where such expenditure is incurred from borrowed loans. No forest expenditure during the year 1937-38 is to be incurred from borrowed loans and hence no capital expenditure has been separately shown in the current year's budget estimate.

*Estimated expenditure for the year 1937-38.*—The total demand for 1937-38 is Rs. 11,27,000. The total expenditure, inclusive of the charged expenditure required to defray expenses in connection with the management of the Forest Department, is Rs. 15 lakhs and 93 thousand against the budget and the revised estimates of Rs. 15 lakhs and 42 thousand and Rs. 14 lakhs and 99 thousand respectively for 1936-37. Thus, there is an increase in the current year's estimate by Rs. 94 thousand as compared to the revised estimate for the year 1936-37. The increase is mainly due to the following items:—

	Rs.
(1) Revision of the working plans of the forests of the Darjeeling and the Kurseong Forest Divisions	18,900
(2) Revival of the second post of Conservator of Forests, Bengal	31,361
(3) Formation of a Working Plan Division	1,335
(4) Collection of information regarding cutting of forests in Western Bengal	2,120
(5) Permanent staff in the office of the Forest Utilisation Officer	554
(6) Deputation of three Forest Officers to the Forest Research Institute and College at Dehra Dun for a refresher course	1,000
(7) Charges in England	71,000
Total	1,20,270

With regard to (1), the preparation of forest working plans is, commercially speaking, one of the most important matters in forest management. Without up-to-date working plans, no systematic management or commercial exploitation of the forests is possible. Each Forest Division has its own working plan which has to be periodically revised

(generally after 10 years). The revision of the working plans for Darjeeling and Kurseong Forest Divisions being now due, provision for the purpose has been made in the current year's budget.

*Revival of the second post of Conservator of Forests, Bengal.*—Regarding (2).—Prior to May 1933, there were two Conservators of Forests in Bengal—one in charge of the Northern Circle and the other in charge of the Southern Circle. As a result of the recommendation of the *Bengal Retrenchment Committee, 1932*, the post of the second Conservator of Forests, Bengal, was held in abeyance for three years with effect from the 26th May 1933 with the approval of the Secretary of State for India. The intention however was that the post should be revived when there was an improvement in Provincial revenues or when there were definite signs of increase of forest revenue. These conditions have now been fulfilled. The forest revenue has steadily improved since 1932-33, and there was a net surplus of Rs. 4 lakhs 43 thousand during 1935-36. In September 1935, the Conservator of Forests, Bengal, submitted a proposal urging the revival of the post of second Conservator in Bengal, and after very careful consideration, it was decided by the previous Government to accept this proposal.

The reason which influenced Government was that the area of the Bengal Government forests was *too large* for one Conservator and that, in consequence inspection and supervision were inadequate. This view was strongly pressed by the Inspector-General of Forests, who urged that in no other Province was so large and scattered an area under one Conservator. Government had every reason to believe that the appointment of the second Conservator would result in considerable improvement in forest management and consequently in forest revenue. *The post therefore was revived with effect from the 1st March 1937* with the approval of the Government of India.

Regarding (3).—As already stated, the systematic management of forests is entirely dependent on working plans carefully prepared and periodically revised. The existing arrangement for compilation of working plans for divisions is that the work is entrusted to the Divisional Forest Officers in addition to their ordinary duties. This arrangement however is not satisfactory. The work of preparing and revising working plans is highly specialised and involves considerable field work, besides collection and tabulation of data obtained from records of experiments extending over many years and observations on the ground. It is not possible for a Divisional Forest Officer to prepare an efficient working plan and at the same time to manage his division efficiently. Experience has shown this conclusively, both in Bengal and elsewhere. Other Provinces have already formed working plan Circles under a Conservator of Forests. The Bengal Forest Department have decided, for the present not to adopt this more expensive arrangement, but to form a Working Plan division under an officer of the rank of Divisional Forest Officer.

Regarding (4).—Already explained.

*Forest Utilisation officer.*—Regarding (5).—Before 1931, a post of Forest Utilisation Officer existed but work was done by a Divisional Forest Officer in addition to his own duties—an unsatisfactory arrangement. The duties of this officer are like those of the Working Plan Officer, of a specialised kind, and are difficult and laborious. His main function is to find markets for forest produce. He has to make arrangements with railways for the supply of sleepers and with merchants for the supply of timber and miscellaneous forest produce—even more important sources of forest revenue than sleepers. He has also to make arrangements, on behalf of Divisional Forest Officers, with railways and steamer companies as regards freight. In other words, he is the departmental salesman. *The Forest Department is a commercial concern and must have an efficient sales organisation.* It became very obvious that Divisional Forest Officers could not look after their forests and at the same time make all the arrangement for the sale of forest produce. In 1931, therefore, a whole-time officer was appointed as the Forest Utilisation Officer. In 1932, the Bengal Retrenchment Committee recommended that the post should be abolished. Government could not agree to this drastic retrenchment but undertook to watch the work of this officer very closely and to abolish the post if the results of his work were not satisfactory. In the end, however, the utility of this whole-time post was conclusively established. Statistics regarding sales of forest produce effected through the agency of this officer during 1932-1935 will illustrate this:—

	Rs.
For the year ending February 1932 . . .	17,000
For 1932-33 . . .	1,63,255
For 1933-34 . . .	2,56,362
For 1934-35 . . .	3,88,083

Eventually it was decided by Government that the post should be retained permanently with effect from 1st November 1935 and there is no doubt whatever that this decision was from every point of view sound.

Having decided to make the post permanent, Government must also see that the Forest Utilisation Office is properly organised. During the experimental period, the Forest Utilisation Officer carried on the work somehow with only one typist clerk. It is now proposed to allow him a permanent establishment of one Ranger, two clerks, and three peons.

*Refresher course for Forest Officers.*—Regarding (6).—The refresher course is intended for existing officers and for a period of a fortnight only. Not more than three officers in a year are to be deputed for the course. The estimated expenditure of Rs. 1,000 represents the travelling allowance of the officers to be deputed.

*Charges in England.*—Regarding (7).—This does not represent any additional new expenditure. With effect from 1937-38, all English transactions, with the exception of those representing genuine sterling liabilities or assets, are to be brought to account in the appropriate service head as if they were transactions in India. The former practice of debiting in the Home Accounts has to be discontinued. A new minor head, "Charges in England" has accordingly been opened. (Please see page 42 read with page 47 of the Financial Statement, Red Book.)

The items mentioned account for an increase of Rs. 1 lakh and 26 thousand in the current year's estimate of expenditure. The actual total increase is Rs. 1,54,000. The balance of Rs. 28,000 is partly due to annual increments of pay of establishment and partly to minor items.

*Review of forest receipts.*—*'10-Receipts.'*—The Forest Department earns a very substantial profit in normal times. The effect of the recent trade depression, however, has been financially disastrous. In the year 1929-30, the year immediately preceding the depression, the Department yielded a gross revenue of Rs. 31 lakhs while the surplus of revenue over expenditure was Rs. 14 lakhs. In 1930-31 surplus fell to Rs. 6½ lakhs. Owing to continued slump in the timber market fall continued. 1933-34 was the most disappointing year from the standpoint of forest receipts, the gross receipts being only Rs. 15 lakhs. The Department however produced a surplus of Rs. 61 thousand. In 1934-35 the forest revenue showed definite improvement, the total receipts for the year being Rs. 17 lakhs 82 thousand. In 1935-36 they rose to Rs. 20 lakhs and 10 thousand. On the assumption that trade conditions would not deteriorate the budget estimate for 1936-37 was fixed at Rs. 20 lakhs and 2 thousand, but the progress of actuals showed that the yield would at least be lower than the previous years, by nearly two lakhs. The revised figure for receipts has accordingly been fixed at Rs. 18 lakhs and 13 thousand. Following the revised figure for 1936-37, the estimate of receipts for the current year has been fixed at Rs. 18 lakhs and 23 thousand and we expect to close the year with net surplus of Rs. 2 lakhs and 20 thousand. Unfortunately, the improvement in forest receipts is not so great as to promise an early return to the yields which prior to 1930 were considered as normal. The only safe course is to assume that the standard reached during the previous year will be maintained. Hence, the current year's estimate has been fixed at Rs. 18 lakhs and 23 thousand.

**MR. SPEAKER:** Before Mr. Rai Chaudhuri begins I would just like to tell the Leaders of the different groups that we have got Forests, Excise, Registration, Other Taxes and Duties, Miscellaneous Stationery & Printing, Ports & Pilotage and various other demands. We have barely two hours to-day and two and a quarter hours on Monday. So unless there is a self-denying ordinance on the part of the speakers and unless the Leaders of different groups exercise their

influence over their parties, I am afraid the result will be that important matters like "Other Taxes and Duties", in which the Tobacco Tax issue has been raised and "Miscellaneous", and "Ports and Pilotage", where labour issues have been raised, will have to be locked out.

**Rai HARENDRA NATH CHAUDHURI:** Sir, I beg to move that the demand of Rs. 11,27,000 under the head "Forests" be reduced by Rs. 100, in order to raise a discussion about inefficiency of the departmental work of exploitation of forest produce.

I have at the same time to move motion No. 800, viz.; that the said demand be reduced by Rs. 31,361 in order to reduce establishment.

Sir, whatever may be the old and approved budget practice, I maintain that forests in Bengal cannot be properly described as a major head of revenue. Under the head "Forest" our revenue never exceeded Rs. 30 lakhs except for a brief spell of 4 years and often went below twenty. What is this amount compared with the amount of Rs. 40 lakhs and more earned by the United Provinces or the Central Provinces or Madras, or Rs. 50 lakhs and more earned by Bombay? When therefore, our province and provincial establishments in the Forest Department are compared with the other provinces, I think only misleading statements and unfair comparisons are made. Yet, Sir, I do believe that our forests are no negligible assets. Extending over nearly 11 thousand square miles and covering about more than 14 per cent. of the total area of the province, teeming with a large variety of valuable timber and producing almost an inexhaustible supply of fuel, not to speak of a variety of minor produce which yields thousands, if not lakhs, of rupees, certainly our forests are not an insignificant proposition. That is quite true, but at the same time we find that where nature has been bountiful, man has been bungling and bungling grievously.

Now, Sir, let us consider the work of the exploitation of the forests. Of the total area under Forests, nearly one-third—about 3,500 miles forms the unclassed forests. This area has never been tapped, never been developed and not even been fully surveyed. In the remaining two-thirds, our exploitation of forest work is limited, and it is just for that purpose that we maintain a disproportionately heavy establishment and we maintain it not to earn revenue, as I shall presently show, but rather to eat up all our forest surpluses. Our forests are truly going to be a very big service tenure and nothing more. Take, for instance, the work of departmental exploitation of forest produce. In spite of all the praise that has been showered on the Utilisation Officer the net result is the revised budget for 1936-37 announces the abandonment of departmental extraction. If departmental extraction ceases, for what purpose does the Utilisation Officer

remain? Is not his post rendered a mere sinecure then? The fact is that the products of our departmental extraction are far too costly to find a market.

Then, Sir, these remarks will apply equally to the work done by Government agency in general, to whichever sphere you may look. In the Forest Department, Sir, there are two circles—the Northern Circle and the Southern Circle. The Northern Circle comprises the Darjeeling, the Kurseong, the Kalimpong, the Buxa and the Jalpaiguri divisions; and the Southern Circle comprises the Sunderbans, the Chittagong and the Chittagong Hill Tracts divisions in the main and the Dacca-Narayanganj Range also. Of the two circles the Northern Circle is the more official ridden area. But while the Northern Circle earned Rs. 10 lakhs or more—I am referring to the report for the year, 1935-36, which is the latest report available and in that report you will see that the Northern Circle raised a revenue of Rs. 10,48,000—the total expenditure was as much as Rs. 8,83,000, yielding a surplus of only Rs. 1,65,000. Not to speak of the Southern Circle, but taking the Sunderbans Division alone, it will be seen that it raised Rs. 5,13,000 but as the expenditure was Rs. 3,05,656 only the surplus was Rs. 2,12,601. Thus, the Sunderbans Division—only one division of the Southern Circle—which got the least benefit of government agency work, yielded more surplus than the whole of the Northern Circle. Not only that. Looking to the Northern Circle in particular what do we see? Compare Buxa with Jalpaiguri, Buxa had the benefit of larger Government agency work; in spite of that the Jalpaiguri Division, though nearly half as big as Buxa, yielded in 1935-36 Rs. 2,89,000, but Buxa twice as big as Jalpaiguri yielded only Rs. 3,27,000. What is more in Buxa there was an expenditure of Rs. 1,98,000 and hence it yielded a surplus of Rs. 1,29,000 only. As against that the Jalpaiguri Division in spite of its lesser area and revenue yielded a surplus of Rs. 1,60,000. That, Sir, is the value of our Government agency work. Surely this is a plan of devouring the yield and surplus of forest revenue, and not a plan of developing our forest at all. And in the present circumstances the establishment is absorbing 50 to 60 per cent. of the total expenditure as against 40 per cent. spent for the development of the forests. Certainly there can be no justification for such heavy expenditure to run the administration at the cost of the forests themselves.

With these remarks, Sir, let me pass on to the question of the new appointments and the new services that are going to be provided for in the budget. Let me take the heaviest item relating to the second Conservator of Forest. This appointment means a recurring expenditure of more than Rs. 30,000 a year. The Hon'ble Minister in charge has deliberately attempted to mislead the House about this appointment. Let me re-state what he says. He says that before

1932 our forests had two conservators, but he forgets to tell us one thing, viz., that our forests were under the supervision of one conservator all along and that it was only in the year 1927 that the Secretary of State in view of the large revenue that was yielded in that year and in view of the insistence of the Inspector-General of Forests sanctioned the appointment of the second Conservator. The post of the second Conservator of Forests had only a brief span of life for four or five years only. There was a Second Conservator only from 1927 to 1932. Now what was the recommendation of the Retrenchment Committee—the Swan Committee—regarding this very appointment? Permit me, Sir, to read the paragraph from the Report as it will make everything clear. “Formerly” says the Report “the forest divisions of Bengal formed one circle under one conservator. For a long time the Department had been pressing on Government the desirability of dividing the province into two circles” because more persons could be provided with high salaries if the forests could be divided into two circles with a conservator for each. The Report continues: “The surplus of revenue over expenditure rose from Rs. 8 lakhs in 1919-20 to Rs. 16 lakhs in 1925-26 and Rs. 14 lakhs in 1926-27. With these figures before it the scheme for the appointment of a Second Conservator was accepted by Government with the sanction of the Secretary of State and put into effect from November 1927”. So, before that there was no Second Conservator. Up to 1929-30 the department continued to show a substantial surplus. But the receipts fell from Rs. 33 lakhs in 1927-28 to Rs. 23 lakhs in 1930-31 and now the receipts have fallen further to Rs. 18 lakhs only.

(At this stage the member reached the time-limit.)

**MR. SPEAKER:** Mr. Rai Chaudhuri, you can have another five minutes.

**RAI HARENDRA NATH CHAUDHURI:** Here I may remind the House, that the Swan Committee made their report when our forest revenue stood at Rs. 23 lakhs, but now it has dropped to Rs. 18 lakhs. Yet this is how the Swan Committee concluded their recommendation:—

“In these circumstances, we do not consider that the retention of the second post of Conservator can be justified, and we recommend that it should be dispensed with until the earnings of the department again approach the figures of 1925-26 and 1926-27.”

Now, Sir, the question is what were the earnings of the department in 1926-27? In 1926-27 they were about Rs. 31,24,000; the year before (1925-26) we had a revenue of Rs. 28,56,000 and not Rs. 18 lakhs 23 thousands which has been budgeted this year. To

earn the revenue of Rs. 28 lakhs 55 thousands in 1925-26 there was an expenditure of only Rs. 12,33,000 and not Rs. 16 lakhs to earn 18 lakhs as we have budgeted this year. We had therefore a surplus of Rs. 16,23,000 in the year 1925-26 and in 1926-27 as we had a revenue of Rs. 31,24,000 and an expenditure of Rs. 13,90,000, we had a surplus of nearly Rs. 17,34,000. Do we budget for a surplus of Rs. 16 lakhs or Rs. 17 lakhs this year? Not at all. We now budget for a surplus of only Rs. 3 lakhs odd and yet we are going to provide for a second conservator. In view of the definite recommendation of the Swan Committee there can be no justification for the revival or retention of this post and I suggest that it should be abolished altogether.

With these remarks I commend my cut motion to the acceptance of the House.

**Maulvi AZHAR ALI:** Sir, forest is a source of income to the Government. From our very young life we have been given to understand that the Forest, Excise, and Stamps are the main sources of revenue to the Government. Now living in politics when we turn to the pages of the budget estimates we find that our idea of the earlier days is not going to be realised. We find that the forests are not yielding as much as we can expect. They are nature's bountiful gift, we can say; but what do we expect from Government? We expect that with a small expenditure we should get a greater revenue by which the country may be benefited. But what the Government are actually doing? We find that the Forest Department is kept only to maintain some high-salaried officers, and most of the income is swallowed up in the administration of the Forest Department. We know that forests give us timbers, bamboos, straws, stones, and many other things. (RAI HARENDRA NATH CHAUDHURI: Honey.) (A VOICE: Even white elephants!) Yes, as my friends say, honey, elephants, and many other kinds of wild animals. But what is the Department doing? There are contractors who, practically, make some sort of arrangement, if I am permitted to say so, by which they manage to get properties worth a huge amount, paying only a nominal revenue to Government. If we compare the forest income of this Government with that of the owners of private forests, under the Rajas in Assam, we can safely say that the Government of Bengal are practically neglecting this Department. These forests are practically left to nature, and what is left after the ravages done by nature or climatic influences, Government go there to pick it up. We hear from the Hon'ble Minister that a second Conservator of Forests is required, but we do not find the necessity for a second Conservator, if we go through the report of the Retrenchment Committee. No doubt, the forests of Bengal are scattered over a big area—practically over the whole province of Bengal. The duty of a Conservator is not

such that an increase in the number of Conservators will improve the area under forests or the management of the Forests Department. In my humble opinion, I would like to suggest that, instead of increasing the number of Conservators, the number of responsible officers of some lower grades, who can take over the direct management and control of the forests, should be increased. There is gross mismanagement in collection, as well as in the cutting of timber. We have heard a long list given by the Hon'ble Minister—

(At this stage the member, having reached the time-limit, resumed his seat.)

**MR. PRABHUDAYAL HIMATSINGKA:** Mr. Speaker, Sir, my honourable friend Rai Harendra Nath Chaudhuri was pointing out the heavy expenditure incurred by the Forest Department. He also pointed out why the post of Second Conservator of Forests was unnecessary. He also drew your attention to the Swan Committee's report, but before he concluded, unfortunately, his time was up. I, Sir, want to continue from where he stopped. The Swan Committee further reported that 22 superior officers would be necessary, but we find from the budget estimates that 29 superior officers have been retained. Not only has their number not been reduced, but we find that the Hon'ble Minister has suggested that the post of the Utilization Officer should also be made permanent, although the Swan Committee recommended that this post should be abolished. So, what is the position now, if you look to the gross income and gross expenditure? The forests produce timber, grass, elephants, and other kinds of animals, which also are included under the head "Forests". Government, themselves, sell property worth about Rs. 18,90,000, and to effect this sale of property worth about 19 lakhs they spend about 16 lakhs, and yet the Hon'ble Minister has told us that this is a Department which is run on commercial lines. Ask any commercial house and it will condemn outright the sale of properties worth 19 lakhs with 16 lakhs (*sic*). Formerly, the expenditure on conservancy and on heads for the improvement of forests was in the proportion of three-fifths to two-fifths in salary. But what do we find in the present budget? We find that more than 51 per cent. of the expenditure, i.e., 9 lakhs, is spent merely on establishment. I am sorry, Sir, the percentage is 54; I was wrong in mentioning 51 only. About 6 lakhs only is spent on the improvement and conservation, etc., of forests. So, the proportion now is just reversed. What used to be spent on the improvement of forests and their produce and products is now kept at the same figure, but the establishment charge has increased considerably, so much so that it comes to about 54 per cent. I do not think, Sir, you will find any other department, whether in any commercial house or anywhere else, where such a heavy establishment is kept. As a matter of fact, I think there are

a number of districts where expenditure is more than the income. I do not know, Sir, why the number of the superior officers cannot be reduced. More than one district which are less important from the point of view of forest Department may be placed in charge of one Forest Officer or Divisional Forest Officer. I think that is done in some provinces, Bihar for example, and I do not see any reason why that should not be done in Bengal. It is absolutely necessary that the establishment charges should be reduced so that there may be more net savings to this province that we find at the present moment. The Hon'ble Minister has told us that when the gross income was 33 lakhs establishment cost about 15 lakhs. So, there is no reason why, when the gross revenue has fallen from 33 lakhs to nearly 18 lakhs, the same expenditure on establishment and on such other heads should be kept up. If your income has decreased, you should reduce your expenditure in the same proportion. Assam has done the same thing. As a matter of fact, there are certain departments, and I think the Hon'ble Minister knows it, having some connexion with the business—I mean the sleeper business—railway sleepers and not the shippers that we put on our feet—which seem to be wasteful. They sell small quantities of sleepers for which they employ officers and supervisors for the preparation of sleepers and for their disposal. They do not take into account the large expenditure in preparing these sleepers in supervision, etc., and the department tries to compete with ordinary businessmen and other contractors. And the result is that—

(At this stage, the member, having reached the time-limit, resumed his seat.)

**Khan Bahadur Maulvi FAZLUL QUADIR:** Sir, at the very outset I beg to point out to the House that the total income of the Department is Rs. 18,23,000 and the total expenditure Rs. 15,93,000, leaving a surplus of Rs. 2,30,000 for the current year. There is a gradual increase of expenditure as will appear from page VIII of the Explanatory Memorandum. During the year 1936-37 the expenditure was Rs. 14,93,000, while the expenditure proposed for 1937-38 is Rs. 15,93,000. This means just an increase of a lakh of rupees over the figure of last year, and this expenditure is, as has been explained to-day, probably due to a provision being made for a second Conservator of Forests, for which an extra allotment of Rs. 31,361 has been made, and for other new works and improvements. To justify the appointment of the additional Conservator, the Hon'ble Minister has said that there has been an increase in receipts also, but, Sir, we find no increase in receipts as compared with the figures of 1935-36, 1936-37. The receipts for the year 1935-36 amounted to Rs. 20,10,000, and for 1936-37, Rs. 18,13,000. It appears, therefore, that there has been a decrease in receipts amounting to Rs. 1,97,000 during these

two years, but, Sir, in spite of this a second Conservator of Forests has been appointed. If, Sir, this second Conservator had not been appointed, the probable saving of Rs. 2,30,000 could have been increased. I do not think, that for an income of 2 lakhs, Government are justified in realizing Rs. 18 lakhs from the poor peasantry of Bengal so as to pay about Rs. 15 lakhs to the officers of the Department.

Sir, before the introduction of the Forests Act forests used to be managed by the khas mahals. I think, therefore, that the Forests Department should be abolished and transferred to the khas mahal under the Collector as before.

In this connexion, I would like to speak a few words about the oppression of the forest officers—particularly I want to draw your attention to the sufferings of the poor peasants in the District of Chittagong. These poor agriculturists have to pass sleepless night after night in the fields in order to protect their crops from the ravages of wild animals. These people sleep on the machan to protect their crops in the cold of November and December. The depredation that is most dangerous is that of the elephants, which turn out into the fields during harvest times. There are instances of some people having been killed in the paddy fields in the district of Chittagong, but neither the Forests Department nor the Government have taken any steps to prevent these animals from coming down upon the agriculturists and damaging their crops or even killing them. Then, Sir, there are thousands of pigs there, and it is very difficult to protect the crops from them. The people of the locality or the agriculturists are prohibited from entering the reserved forests with guns without licence to kill wild elephants or other animals with a view to protect their crops. Under the Cattle Trespass Act, people can seek relief in the criminal courts, but in this case where pigs, elephants, and other wild animals come out of the forests and cause havoc with crops there is no relief of any kind, for no case will lie before any court of law and no compensation will be awarded by that court.

Cultivators are also greatly handicapped on account of the oppressions of forest officers.

There is another thing. Even when these wild animals enter into their fields for damaging crops, the people cannot kill them or knock them down then and there; if they enter the forests, the cultivators cannot pursue them and kill them; for in that case they will come under the law.

Again, Sir, the border line between a reserve forest and paddy fields, etc., is not cleared annually, for people are prohibited from clearing the jungle which grow rapidly along this border line. The

result is that wild animals very frequently jump upon the cultivators in the paddy fields from the jungle and cause damage to both life and property.

There is another point. As I have said, forests encroached upon agricultural land and thousands of acres of arable land have thus come to have been included in the reserve forest: this has reduced the extent of cultivation. So that, while the population goes on increasing by leaps and bounds, their sphere of earning their livelihood is being restricted by this unnecessary absorption of cultivable land by the forests. While the animals run from the jungle to the paddy field or other crop field and destroying the crop, again run away into the jungle if any person chase them and by chance enter into the jungle they are liable to prosecution. So, Sir, the position is very difficult, especially for the people of the villages adjacent to the jungle.

**MR. R. H. FERGUSON:** Mr. Speaker, I had no intention to take part in this debate this morning, but the honourable member who moved this resolution spoke about that part of North Bengal in which I have spent about 28 years of my life. He has pointed out the small profit made by the Forest Department compared with their expenditure. On looking into the figures I find that the profit of the Forest Department against the expenditure amounts to about 11 per cent. Most business houses of this province would be quite glad at the present time if they could show as good a dividend. He has also referred to the large receipts during the years 1923-1929 and the fall in the receipts from 1930 onwards.

I belong to the tea industry and I may say that one of the biggest purchasers of forest produce in North Bengal are the tea gardens. From 1923 to 1929 all the tea gardens were making good profits and as they were doing very well, they bought extensively from the Forest Department not only timber, but bamboo and other products. They incurred a large expenditure on the purchase of forest products. From 1930 onwards they struck the depression and their expenditure had to be curtailed with the result that the expenditure on forest produce was also curtailed. That there was a loss of revenue during the past few years was not due to any fault of the officers of the Forest Department.

The honourable member also referred to the Buxa and Jalpaiguri divisions. He said that the Buxa division was three times the size of the Jalpaiguri division but the profits from the Buxa division were much less than that from Jalpaiguri division. Buxa division is a poor timber area mostly, whereas Jalpaiguri division is a rich timber area. In Jalpaiguri there are a large number of tea gardens; while in the Buxa division there are few tea gardens and therefore it has never

been properly exploited, particularly because there is no one to purchase the commodities.

I should like to inform the House what the Forest Department is now doing in the way of reafforestation. Any one who has gone round the forests of North Bengal cannot but be surprised at the extensive work that is going on there and as a result of the work that has been put in Bengal in future years will benefit.

One honourable member raised the question of the sale of sal sleepers to the railways. Most of the forest officers are my friends and I know that it is a fact that it has been difficult to get Indian Railways to use sleepers from Bengal. Recently one or two tenders have been received from the railways in Bengal and it is some consolation to know that the sal sleepers of Bengal are at least being appreciated.

The question of the cost of the second Conservator also arises and has been brought up. No industry in the world can be carried on without supervision and without some one being responsible for directing its operation. I sometimes feel that it is well worth paying for a directorate to carry on the business properly and efficiently and it is false economy to cut down the establishment in any way. With these few words I resume my seat.

**Maulana MD. MANIRUZZAMAN ISLAMABADI:** Spoke in Bengali of which the following is an English translation:—

Mr. Speaker, Sir, I want to speak a few words about the unlawful oppression and activities of the officers under the Forest Department. People condemn the lapses of the police, but the officers under the Forest Department have outstripped even the police in this respect. I have 15 complaints to make, viz.: (1) In the Chittagong Hill Tracts, cotton, various kinds of fine timbers, bamboos, hemp, cane and other things grow in abundance. The articles are exported from the Chittagong Hill Tracts to the Chittagong Port down the Karnafuli river. There are three toll-stations within the Chittagong Hill Tracts. The toll or tax payable to the Forest Department is collected when these exported articles pass through the first station. Cotton is packed in bamboo baskets and transited either in boats or rafts made of bamboos. It is the rule to pay for each basket one pice as tax and one pice as emolument or bribe for the Babus (officers). No tax is to be paid at the second station, but the emoluments for the Babus are invariably realized. The third station is Chandraghona. Here too no toll is charged but the one pice for the Babus has to be paid without fail. Thus, for example, a person carrying one thousand baskets of cotton to the Chittagong Port has to pay Rs. 15-10 as toll and Rs. 46-14 as emoluments for the Babus. Thus three or four times the actual amount of toll payable to the Government are charged for the emoluments of

the Government officers. (2) A man takes out a pass for cutting bamboos on the hill. Now, while returning home in the evening with his bundle of bamboos from the hill he is intercepted on the way and harassed by the forest guard for money. And when he produces his pass the guard retorts—"Well, you have the pass for cutting bamboos, but none for cutting the creepers with which you have bound your bundle of bamboos. You will have to pay fines for cutting creepers without any pass." How is it possible for anybody to put up with such *zulum*? (3) Many persons possess lands and *jots* abutting on the forest boundary, as also, at places within zig-zag lines defining the forest limits. When they cut trees, bamboos, etc., from these lands and carry them home the forest guards harass them and extort money from them on the false pretext that they are taking away articles which belonged to the Government forest and not to their land and *jots*. (4) Many persons take out leases for hemp fields. Now, as they reap hemp from their fields and carry it home the guards stop them on the way and extort money from them. Again, when a person takes his cattle to the reserve forest for grazing with a pass obtained for the purpose, the guards find out various pretexts, such as, the presence of a calf with a cow and consequent increase in the number of heads sanctioned, for making illegal exactions. (5) Wild animals from the Reserve Forest damage the crops on lands lying close to the forest. And this is not the only scourge from which the poor peasants suffer. Ferocious and carnivorous animals straying out of the Reserve Forest devour cattle and goats belonging to the peasants and even kill human beings. If any peasant fire a gun for scaring away the wild animals and if any of these happens to be struck by a bullet and runs into the Reserve Forest and dies there, he will have to face the most crucial ordeal. Forest officers will arrest and send him up for trial on the ground that he entered the Reserve Forest and shot down the animal. And the fun about legal actions taken by the Forest Department is that the accused receives one sort of punishment for pleading guilty and twice as much for pleading not guilty and defending himself. Hence, the oppression of the Forest Department has become unbearable to men.

(The member, having reached the time-limit, resumed his seat.)

**The Hon'ble Mr. PRASANNA DEB RAIKAT:** Sir, I have been attacked by my friend Rai Harendra Nath Chaudhuri as regards the heavy expenditure in the Forest Department. May I tell him that our forest comprises of 120,000 square miles that is to say one-sixth of the total area of the province and our is one of the biggest forests in India. I may say that Bihar with 5,880 square miles of forest has one Chief Conservator and three Deputy Conservators and five Assistant Conservators and the Punjab with 4,736 square miles of reserve forest and 453 square miles unclassified forest maintains one Chief Conservator and three Circle Conservators. I have already informed the House of the state

of affairs in Bengal in connection with the south and western Bengal forests in my opening speech.

Now, Sir, with regard to the appointment of the second Conservator of Forest, I may say that there is a lot of work for him and when we get this proposal sanctioned, I intend putting him in charge of western Bengal.

With regard to the Forest Utilisation Officer, he too is very essential for exploiting these vast forests and looking after the sale of timber and other products of the forests. Unless you have such an officer, it would not be possible to get good revenue. I will just explain the reason why we have abolished the establishment of this officer. The establishment has been abolished as it was too heavy a charge on the State, and to avoid it we are carrying on the business through contractors.

Mr. Hashem Ali has also complained about expenditure. I may say, Sir, that the work of the Forest Department is very heavy and if you want to swell the revenue, the forest should be maintained in a proper condition and improved. In order to do that you must have proper supervising officers. It would be a wrong policy to do away with the post of Second Conservator of Forest.

Lt.-Col. Ferguson has just now informed the House how the Forest Department is working in the Duars and in spite of doing good work we are not getting the same amount of revenue as we used to do some years ago, especially in 1930-31, on account of the depression.

It will be a wrong policy to cut down the expenditure under these heads, I mean highly paid officers. We want brain work and at the same time we want work. If these officers do not prove worth their salt, it is in your hands to see whether these officers are wanted or not. So I request my honourable friend Rai Harendra Nath Chaudhuri to withdraw his motion.

The motion of Rai Harendra Nath Chaudhuri that the demand be reduced by Rs. 100 (inefficiency of departmental work of exploitation of forest produce) was put and lost.

The motion that a sum of Rs. 11,27,000 be granted for expenditure under the head "10—Forests" was put and carried.

### 8—Provincial Excise.

**The Hon'ble Mr. PRASANNA DEB RAIKAT:** Mr. Speaker, Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 17,77,000 be granted for expenditure under the head "8—Provincial Excise".

**Maulvi TAMIZUDDIN KHAN:** Mr. Speaker, Sir, I beg to move the motions Nos. 848 and 849 that stand in my name.

Sir, first of all so far as motion 848 is concerned, my object is to raise the broad question of policy of the Excise Department, I mean the policy of prohibition. Sir, so far as the past Government was concerned, when this question used to be raised and discussed in the Council the usual reply was that total prohibition was the goal of the Government and the way in which that goal was sought to be attained was gradual diminution of consumption. Sir, I for myself have been hearing that statement for about eight or nine years on the floor of the Council and I think, Sir, if one hears a statement like that even for 50 years, I do not think that the goal declared will ever be achieved. It seems disconcerting, Sir, that other provinces in India are stealing a march over us (A voice from one province)—it may be one or it may be two but as I was saying it seems to be very disconcerting that Bengal is gradually lagging behind. If non-Congress provinces lag behind that will be a very strong argument in favour of Congress Ministries in all the provinces (Hear, Hear from Congress Benches). Therefore it behoves all those who are not in favour of Congress Ministries to see that those provinces where there are non-Congress Ministries may not lag behind. Therefore when I say this province of Bengal should take a step forward in this direction of total prohibition I only mean that those who are not in favour of Congress Ministries should actually prove the sincerity of their intentions by some actual action.

I do not deny, Sir, that this question is not free from difficulties. There are various difficulties. One argument is that this policy of total prohibition has not succeeded in modern times anywhere in the world. It was tried in America, it has failed there. It was tried in other places, it has failed in those places also. Therefore it is said that we should not go in for a thing which has proved to be impracticable. This is one of the arguments against proposition. I submit, Sir, that conditions in India and in America and the other places where this policy may have failed are vastly different (hear, hear). So far as India is concerned, we see that only a very small percentage of the total population is given to drinking and to drug habits, whereas in other countries, in America for example, I think cent. per cent. of the population is accustomed to drink. Therefore it is very easy to make a policy of prohibition successful in India and of all provinces in India, it is easier to do so in Bengal, because in Bengal the consumption of spirituous liquor and drugs is the smallest of all. That also is clear from the red-book which contains the summary of the budget. Sir, if we look to page 6 we find this observation: "This head of revenue provides one of the unsolved problems in the comparative study of the provincial finance, for the reason that its yield differs so considerably from province to province. The yield in Bengal, for instance, owing to good habits ingrained in the people, is, and will doubtless continue

to be, one of the smallest in India." Certainly that is a very good certificate and I think, Sir, that after giving that very good certificate the Government should not lag behind to implement that certificate by their actions and to adopt the policy of total prohibition. There is also the question of loss of revenue. Sir, so far as that is concerned, I think we have to face loss of revenue sometimes for the sake of our ideals. There is another difficult question—the question of the Europeans in Bengal. Sir, opinion differs as to what is to be done with that element in our population, whether they should be excepted from the scheme of total prohibition if that is adopted at all. Sir, I think they have been excluded in one or two other provinces where this policy has been adopted. I, for myself am not against the idea of excluding them because so far as they are concerned, we see that their habits differ from ours. Whereas in India it is almost a crime in our code of morality to have a drink, it is otherwise in European countries. Therefore it will be for our Government to consider whether any exception should be made in the case of Europeans.

**Mr. SPEAKER:** I think I can take this opportunity of asking you to enlighten me as to whether your second motion is in order in connection with this demand, because it seems to me that the Tobacco Tax does not come under Excise demand.

**Maulvi TAMIZUDDIN KHAN:** I can only say that it is somewhat allied to the former.

**Mr. SPEAKER:** I asked your views as a lawyer whether this amendment is in order. I must rule that amendment out.

**Maulvi TAMIZUDDIN KHAN:** All right, Sir.

Then my definite proposal here is that Government should no longer try to satisfy us by giving a mere assurance that prohibition is their goal. We want our Government to adopt prohibition as their policy, and if possible to declare that they should try to attain that goal within a specified number of years, and also as an earnest of their sincerity I also should like our Government to declare that they are prepared to make experiments of this policy in certain specified areas. If that is done, we shall see within a short time whether this policy can be successful. I should like to say, Sir, in this respect that our Government should carry out this experiment in a true spirit of making that experiment successful. Experiments can be made in various ways, an experiment can be made with a pre-conceived idea of making it a failure. I think Government should not adopt a policy like that. They should be sincere in their intention and should actually make an earnest effort to make the experiment successful, and if our present Government can achieve total prohibition within the term of

their office I think that will be a great achievement not only for the Cabinet but also for the whole province of Bengal. I therefore think, Sir, that although this proposition is not free from difficulties, our Government will be up to the task and will do their best not only to adopt and declare this policy on the floor of this House, but to carry it out in all earnestness and sincerity.

**MR. SPEAKER:** I may just say at this stage that I propose to close the debate in time to take up "Registration" at 1 o'clock. I have got a list of the names of 7 or 8 members who want to speak and I propose to give each five minutes' time.

**Rai HARENDRA NATH CHAUDHURI:** Sir, I beg to move the motion that stands in my name just to raise a discussion on the Excise policy of Government.

Sir, I do not know whether in a super-civilised society it is permissible to propose a toast to the moral health of a person with a glass full of sparkling liquid in one hand and a pipe of smoking opium in the other, but Sir, as we have not gone so much ahead I think it is not permissible in our country to propose a toast to the moral health of a person in that way. Yet, Sir, in estimating an improvement of 3 lakhs of Excise revenue that ridiculous feat has been performed. In the explanatory memorandum of the Budget of the Government of Bengal under the head "Excise" you will find a comparison drawn to the credit of Bengal and a conclusion just avoided. The note runs thus: "The yield in Bengal, for instance, owing to good habits ingrained in the people, is, and will doubtless continue to be, one of the smallest in India. A major province could be named in which the yield per head of the population is nearly five times—that unnamed major province is Bombay—and another in which it is nearly four times as great as in Bengal." The unnamed province is Madras. Now, Sir, if we Bengalees are really so sober then the legitimate conclusion should have been an announcement in favour of prohibition; that would have been a conclusion consistent with the premises, but that conclusion is just avoided and instead it is announced as a compliment to the moral health of the people of Bengal that an increase of 3 lakhs over the revised estimate is estimated in view of the actuals of 1934-35. The memorandum, again, bristles with *suppressio veri*. The first truth that has been suppressed is that Bengal leads in Opium revenue—that is a fact which has been studiously suppressed. Our yield under the head of drink (liquors) is of course very much smaller than that of the other provinces, but we lead in Opium revenue (A VOICE: Quite rightly so.) Secondly, we are one of the leaders in other drug revenue, such as revenue from hemp drugs, ganja, etc. These two facts have been suppressed in this report. We are not the leader in the matter of drink revenue, but we are the leader in drug revenue.

Then, Sir, so far as Opium is concerned, many things have got to be suppressed in the Government report, for the League of Nations insists on a certain progressive standard. Sir, in March 1925 the Earl of Winterton as Secretary of State for India, compared the then position with that of 1910 and said: "the revenue" from opium "was 50 per cent. higher, while consumption was two-thirds less". From my humble place in the Bengal Legislative Council in March 1925, I said that it was a wrong statement so far as Bengal was concerned. In Bengal in 1912-13, 1,697,017 seers of opium was consumed and when Earl Winterton was speaking we consumed in Bengal opium to the extent of 997 maunds and in 1935-36 not less than 642 maunds; certainly, no one will say—

(At this stage the member having reached the time-limit resumed his seat.)

**MR. SHAH SYED COLAM SARWAR HOSAINI** delivered his speech in Bengali.

**MR. SYED JALALUDDIN HASHMI:** Sir, I beg to move that demand of Rs. 17,77,000 be reduced by Rs. 100 in order to urge the acceptance of a policy of prohibition to be given effect to in course of a fixed number of years.

Mr. Speaker, Sir, in the past I had occasions to discuss the policy of the Government, particularly dealing with the policy of total prohibition. Sir, I do not propose to make a speech on temperance on the floor of the House. I will at once suggest that the policy of total prohibition is a necessity. I will not use any harsh word to-day. If I am permitted to say, I would only say that of the many gifts of the British rule in India drunkenness is one. I do not propose to throw any challenge, but I would like to know from any of the members of the House whether there was any revenue derived from excise during the Moghul period in India or any revenue derived during the Pathan period in India. I do not know whether there was any revenue derived in the Hindu period of the administration of India. If anybody can suggest in the contrary I have got nothing to say. But, Sir, to-day I am very much surprised to hear the speech that has been delivered by Mr. Tamizuddin Khan but I am equally glad to find that, he of all persons, sane and sober persons, was even feeling disconcerted with regard to the excise policy of the Government of Bengal. The policy, as has been declared on various occasions by the Government, is that of maximum of revenue for the minimum of consumption. I for myself do not agree with that policy of the Government—I mean maximum of revenue with minimum of consumption. Sir, I can say once more from my personal experience that excise shops have been unnecessarily located in the labour area knowing full well that the labourers after a day's toil earning eight or twelve annas a day almost

exhaust their whole day's parring on drink grip. I would also suggest if this connection that if they are allowed to drink by the Government, they should be given a wholesome drink and not poison. If it is permissible to drink, I would suggest to the Hon'ble Minister to import or rather to manufacture such drinks as contain more food than alcohol and are not poisonous like those imported from places outside the province. Sir, I for myself hate drinking and I hate all such persons who drink, whatever their social position or status may be. That is, however, not the point to-day. The point is this: how can we, particularly Mussalmans, justify the action of supporting the excise policy of the Government? The question of revenue cannot and does not arise. If any of the members of this House holding his head high be given the chance of conducting this portfolio, can he suggest how in five years' time this revenue can be made up from various other sources to run the administration if total prohibition is adopted? (The Hon'ble the CHIEF MINISTER: I will give you the task.) I for myself am happy that of all days to-day possibly Government are going to give us an assurance, but with regard to excise policy if an assurance be given that within a period of five years and not more than five years there will be total prohibition, and if the Hon'ble the Chief Minister assures us that total prohibition will be effected and effected successfully, when I for myself declare and proclaim on the floor of this House that I will not disagree with him, at least to-day.

Sir, what is our position in the mufassal? There is one excise shop in my village—

(Here the member having reached the time-limit resumed his seat.)

**Mr. PRAMATHA NATH BANERJEE:** Sir, I shall be very brief. We have been allowed five minutes time but I shall only take up two or three minutes and will thereby cost the House one lakh of rupees according to my calculations.

Sir, I move that the demand under the head "Provincial Excise" be reduced by Rs. 100 to raise the question of total prohibition in this Province.

Mr. Speaker, when I read through the budget I got the impression that the Hon'ble Finance Minister with the assistance of the Hon'ble Minister in charge of Provincial Excise framed the budget on the sage principles of Hindu mythology. Notwithstanding all kinds of assurances in favour of prohibition, I find that the budget expects greater revenue than the revised estimate for the last year to the extent of Rs. 4 lakhs; and this revenue comes from two very doubtful (according to modern conception) sources, viz., first, country-liquor, second, hemp. So far as country-liquor is concerned, the Sastras say that country-liquor is nectar for the Gods and therefore our Gods on the Treasury Benches are naturally fond of country-liquor. As for the second, namely hemp, once more the Sastras say that the Great Hindu

God Mahadeb is very fond of *ganja*. Therefore my advice on the first occasion I opened the discussion on the budget was to my European friends to my left to increase the wealth and prosperity of the Government of Bengal by a greater consumption of these two very favoured articles, namely, country liquor and hemp.

Sir, my friend, Rai Harendra Nath Chaudhuri, has struck a note of despair. He says that the budget figures are wrong because larger figures should have been placed against the item—the consumption of opium. Now, just emerging out of the budget discussion on forests, the atmosphere is so full of the aroma of opium and hemp that I find it is difficult to continue my discussion further. I might, however, just mention to you, Mr. Speaker, that in the neighbouring provinces sedulous and successful attempts are being made to pursue consistently a policy of prohibition. Sir, I will not mention the names of the neighbouring provinces as my friend, the Hon'ble Finance Minister, feels very sore over them; but they have somehow managed to meet their difficulties in the matter of revenue even by adopting a policy of prohibition. I will not, Sir, in this House request my friends opposite to read the constructive programme suggested on behalf of the Congress by Mahatma Gandhi with regard to this question. I will not ask them to accept these suggestions either as texts on the Holy Bible or as the Holy Koran. But I am raising this discussion in the hope and belief that when we meet next year we shall no longer be regaled with a budget which saps the very vitals of the Nation.

**Mr. A. M. ABDUL HAMID:** Mr. Speaker, Sir, as a Mussalman I must welcome with great pleasure the policy that has been placed before us for the consideration of Government. But at the same time, I must say that I am neither a visionary nor a man of imagination. As a Mussalman I do not contribute a farthing to the Excise revenue; neither do I believe that any one from my community contributes any very great sum to that. If a policy of total prohibition is adopted here, where will this revenue of Rs. 1,21,00,000 (net) come from? (Dr. J. M. DAS GUPTA: Change the administration.) From our past experience of America and other countries we have seen that by legislation a country cannot be made to go dry. It is a well known fact that some 1,354 years back, the one policy of our Prophet—the doctrine that was preached by Him—was to make the people of a wet country like Arabia, who always remained drunk, to give up their drinking habits and make them sober. But I believe, Sir, no worldly legislature or any Treasury Bench in any country can make prohibition possible. If you adopt this policy of prohibition, the result will be that the income of the province will deteriorate and smuggling will be going on everywhere. When prohibition was adopted in America my cousin was there. He told us that the only difference between the time when prohibition was not in force and the time when the prohibition came into force, was that

liquor and other drugs could not be bought in the open dining-halls, in the streets and the restaurants but they could be had in plenty in private rooms. And the consequent result was that the American Exchequer got much lesser income than it used to have before this prohibition legislation was brought into force. So, I say, Sir, this kind of legislation is not a practical proposition. The real thing which should be considered is that public opinion should be made to feel that nothing but prohibition is to the interest of the people. It is not by forcing the Government to adopt this policy that we can make the country dry. So, I am afraid, Mr. Tamizuddin Khan's proposition is not a practical one, and, therefore, I oppose it.

**Maulvi ABUL HASHIM:** Mr. Speaker, Sir, I wish I could presume that the policy of Government is one of gradual prohibition, but, Sir, I am extremely surprised to find that Government are selling wine at 4 annas a bottle. Some people argue that the idea is to check and stop illicit distillation. But, Sir, whatever may be the explanation, I am convinced that the idea underlying this 4-anna bottle is to increase Excise revenue by popularizing wine, by inducing people to drink more and more. (Cries of "Hear, hear" from the Congress benches.) Added to this Sir, I find, that Government are pursuing a policy of thrusting wine on unwilling people. If I may be permitted, Sir, to take an illustration from our own village, I may say that, in spite of repeated requests to the contrary, the Excise authorities of Burdwan district are persistently trying to force the sale of this 4-anna bottle in my village. They tried as many as three vendors in succession, and one after another each of them surrendered his shop. In the village there is a drug shop and a drug-vendor. As a last attempt, the Excise Department got hold of this drug-vendor and forced him to take up the wine shop, and threatened him that if he did not comply with the wishes of the Department, his drug-shop licence would be cancelled. Are we to understand, Sir, that this is the first step towards prohibition? I would like to draw the attention of Government to one more thing only, as I have not much time left at my disposal. Maulvi Syed Ahsanali, Joint Secretary of the Young Men's Muslim Association, Burdwan, in August wrote a letter to Mr. MacPherson, Commissioner of Excise and Salt, Bengal, drawing his attention to a certain injustice which he thought was being done to his community with regard to the allotment of Excise shops at Ranigunge, and he, generally, made a request to the Commissioner in that letter to consider the claims of his community while making future allotments. I do not like now to discuss anything about the respective claims of this or that community to have Excise shops. What I want to point out is this. In reply to that letter, Mr. MacPherson, the Commissioner of Excise and Salt in Bengal, wrote that he could not consider the claims of any community unless that community contributed at least 50 per cent. of the Excise revenue. (Cries of "Shame,

shame".) Sir, there may be ten thousand other causes and reasonable causes for not giving a licence to one individual or to one community, but I do not think it is just and proper to refuse any licence to anybody on the ground that his community does not think wine or take drugs in any appreciable quantity. In the letter of the Excise Commissioner there is a very clear suggestion that people before coming up for licence for an Excise shop should drink more and more wine and eat more and more drugs. In his letter, I submit, there is a clear declaration of policy with regard to Excise matters. Are we to understand that he has done so in accordance with the wishes of the present Government? I do ask once more, Sir, is it again another step towards prohibition?

With these remarks, Sir, I would request the Treasury Bench to take into serious consideration the three points that I have raised and I expect that before the Excise budget estimates are put to the vote, Government would be pleased to make a very clear and unambiguous declaration as to what their policy is with regard to this question of gradual prohibition.

**Dr. H. C. MUKHERJI:** Mr. Speaker, Sir, one of the honourable members who preceded me said that before introducing prohibition, it is necessary that the public conscience should be roused. This morning I received a copy of the "Indian Temperance News," according to which the Indian Temperance Association was founded on the 10th of September, 1887, and its 50th anniversary will be held on the 10th of September this year. This Association is an all-India concern, which has been trying its best to make the people understand the evil effects of drink and drugs. Fifty years, Sir, have not produced the desired result. I say, Sir, that the time has come when prohibition in some form or other must be introduced. Last year, according to the latest report of the Excise Commissioner, there was an increase in the quantity of country-wine consumed, only because there was a reduction in the duty with effect from the 1st of July, 1934. This, Sir, I consider as a Christian to be positively sinful. I think that no civilized Government ought to encourage the poor people whom they control and govern to consume more liquor by reducing the rate of duty which implies a reduction in its price.

Turning to the same report, Sir, I find that the consumption of hemp diminished on account of a fall in the price of agricultural products. But there were two districts, viz., Faridpur and Mymensingh, where there was an appreciable increase in consumption because there was a rise in the price of two agricultural products, namely, paddy and jute. These things, Sir, are stated in Government reports. From this one can easily infer that there is some connection between increase in consumption and increase in income, and between diminution in consumption and diminution in income and that this diminution is not due to any improvement in the ethical standards of the consumers.

It is possible to introduce prohibition by adopting certain steps. It should be quite easy to reduce the number of licensed shops; it would be quite easy to reduce the amount that a vendor would be allowed to sell; it would be easy also to reduce the hours during which only the sale of liquor, etc., will be permitted; it would also be easy to reduce the consumption of liquor and drugs by raising the duty. There is only one question left before the House and that is that if prohibition is adopted how can we meet the deficit? I am not a business-man, nor am I an economist, but even then I think it is not difficult to find a solution. The Bible says that there is a lion in the way of the lazy man. I say that for the man who does not possess sufficient courage to touch the pockets of the rich and the powerful for the benefit of the poor there is a lion in the way. I shall not refer to what other provinces of India and other countries have done to balance their budgets. We could introduce death duties here. Even in England, which is a comparatively wealthy country, various ingenious devices have been utilized for avoiding the payment of death duties. But even then the amount realized has been characterized as handsome.

Then, Sir, there is the jute duty. I contend that we ought to try our best to get more than what we have got already. And, lastly, Sir, I would also point out that Bengal contributes 36 per cent. to the income-tax revenue of India as a whole. It is the duty of our Ministers to see whether they cannot get a part of this tax. And very last of all, I would point out that in Canada they have a tax called the wheat "process" tax. Last year in Bengal, our 92 jute mills produced jute-fabrics worth more than 23 crores of rupees. If we have sufficient courage, we can impose a tax on the processed jute on the lines of the Canada tax on "processes" wheat (Cheers).

(At this stage the member, having reached the time-limit, resumed his seat.)

**MR. SPEAKER:** The Hon'ble Mr. Nalini Ranjan Sarkar.

(At this stage four or five members rose to speak from the various sides of the Chamber.)

**MR. SPEAKER:** I am absolutely at the disposal of the House. I would like to know whether this debate should continue. I can tell the House that there are 6 more names on my list, and, in addition, the Hon'ble the Finance Minister, the Hon'ble the Excise Minister and the Hon'ble the Chief Minister would also like to speak. So, I would like to know whether this debate should continue, for it would mean the knocking out practically of all other motions.

**The Hon'ble Mr. A. K. FAZL-UL HÜQ:** I would like, Sir, that the debate should close at 1 o'clock, so that I may take up Registration.

**Mr. JOGESH CHANDRA GUPTA:** I think, Sir, the understanding was that it should come to a close at 1-15 p.m.

**Mr. SPEAKER:** I understand a division is likely to be called, so I must keep in hand some time for that. I think it would suffice if I put the motions at 1 o'clock.

**The Hon'ble Mr. NALINI RANJAN SARKER:** I am sure Mr. Tamizuddin Khan will not doubt my sincerity as I am, like him, a believer in prohibition. I am also not against the Congress taking up the Ministry here if they could command a majority in this House. I think, Sir, it is not right on the part of a Government to be a party to organise temptation for weak-willed people which leads them into the path of ruin and destitution. The question of revenue must be subordinated to the question of prohibition. But in this year's budget we have not indicated any policy of prohibition. The reason is that in Bengal this evil is not so acute as in other provinces, and in the programmes of the different parties with whose help we are carrying on this Government there was no mention, so far as I remember, of the question of prohibition. So we had first to take up those problems for which the parties gave pledges to their constituents.

There is another thing, prohibition cannot be effected by a stroke of pen just in the same way as the price of jute cannot be raised by stroke of pen. (A voice: Nobody asked for that.) My revered friend Professor Mukharji said that by reducing the number of shops and the hours of sale and also by some other methods prohibition could be effected. These are the recognised methods no doubt, but in Bombay in 1927 they tried their best to attain prohibition by those methods and in 1929 those methods had to be given up and things are going on now as usual. For making this policy of prohibition successful long and careful preparations have to be made. I have read the speech of the Finance Minister of Bombay: he said that he could not make any provision for their policy of prohibition because their past experience showed that they would have to attack the problem in a different way. It is only Mr. C. Rajagopalachariar who has introduced this in his own province. He has also said in his budget speech that the members must realise that it could not be done in a day. A gradual preparation would have to be made. He is experimenting in his own district of Salem. In his speech he also said that they were trying to make a beginning by closing down shops; still he feared that it would not be possible to prevent illicit distillation unless public opinion was created against it.

My friend Rai Harendra Nath Chaudhuri derided the remark in our red book that Bengal's excise revenue was the lowest in India. We stated only a fact; it was not stated in justification. It is because of the fact that the agricultural population is not generally addicted

to the drinking habit that excise revenue of Bengal and the Punjab is low in comparison with that of Bombay and Madras. It is enjoined by the Mahomedan religion that Mahomedans should not drink and the Punjab and Bengal being predominantly Mahomedan the excise revenue—

**Rai HARENDRA NATH CHAUDHURI:** What about Bihar and the United Provinces?

**The Hon'ble Mr. NALINI RANJAN SARKER:** In Bihar and the United Provinces it is not so low.

**Rai HARENDRA NATH CHAUDHURI:** May I know, Sir, what the Finance Minister means by low? Does he mean the incidence of revenue per head of population in United Provinces?

**The Hon'ble Mr. NALINI RANJAN SARKER:** Every day I find my friend Rai Harendra Nath Chaudhuri challenge my figures but I can say my figures are quite correct. I say that the excise revenue is low per capita. The excise revenue per capita in Bihar 45 whereas in Bengal it is 27. This can be proved by other things also. In Bengal about 60 per cent. of our excise revenue is derived from Calcutta and the surrounding industrial areas. In rural areas of this province one country spirit shop serves an average area of 120 square miles, while in Bombay and Bihar it serves 46 square miles. In some of the rural areas where the Mahomedan population predominates the number of shops is much less than the average; in Dacca Division one shop serves 179 square miles and in the Chittagong Division as much as 280 square miles. I do not say that it is not an evil. What I say is that in Bengal the evil is not so predominant as in other provinces.

I think the Excise Minister and the Chief Minister will enunciate the policy which the Government wants to pursue in future regarding excise, but I say it cannot be done too soon or in a day or overnight and for that position I have got the authority of no less a person than Mr. C. Rajagopalachariar and also the Chief Minister of Bombay.

**The Hon'ble Mr. PRASANNA DEB RAIKAT:** Sir, I have listened with close attention and keen interest to the observations made and the arguments advanced by my honourable friends in support of a policy of total prohibition in Bengal. They regard drinking as a growing social habit amongst the poverty-stricken people and think of ending the habit by enforcing prohibitive legislation against drink and drug habit. But I must tell them at the very outset that in Bengal it is not growing but gradually failing. I have the fullest sympathy with those social reformers who have pitched their faith in the temperance

movement which may lead ultimately to total prohibition, but Sir, when I go deeper and deeper into the history and experiment of the movement in foreign lands and also in some parts of our own country, and scrutinise facts and figures I am constrained to say that so far the experience of all nations go total prohibition is a misnomer, as a practical policy under present conditions it is impracticable. . . .

Sir, time will not permit me to discuss the points raised by my honourable friends in this controversial matter. I will try to meet their points, as far as possible, in the general reply I am going to give now.

Some of my honourable friends have hinted why Bengal should not take a bold step in experimenting in prohibition when other Congress provinces like Madras and the Central Provinces have taken such a step. My answer to them is this: these Congress majority provinces have taken a leap in the dark; they may succeed or fail. In the face of failure of a policy of prohibition in foreign lands and in some parts of our own country, the chances of success are very remote. It is wiser to learn by the experience of others than to carry on the experiment on one's ownself. So in my opinion Bengal can "wait and see," and learn by the experience of other provinces.

Sir, I must declare before the House in most emphatic and unambiguous terms that fight against drunkenness and intemperance has been and will more vigorously be the policy of this Government. That being so, the question boils down to this: what is the proper line of action and what have we done to pursue that line of action?

Now, Sir, what is needed first and foremost is a change of conviction in the minds of masses, and this can only come as a result of the spread of education and of habits of greater foresight and thrift stimulated no doubt by social work amongst the masses; outside the work of mission societies and of temperance societies in a few of the larger towns such efforts have been on the whole conspicuously absent. Progress must inevitably be slow, but in proportion as it rests on the conviction, it will be sure. When that conviction is shared by the majority or even by a large proportion of the class affected, local option or even prohibition will work. Without it it is impossible to expect success.

In dealing with such a long-standing habit as drunkenness what is necessary first and foremost is to eradicate the evil from within and to treat it psychologically. You cannot legislate people into abstinence.

I have already explained, Sir, in introducing the demand for grants what Bengal has done to minimise the consumption of alcohol and drugs. Now I will give you the results.

Bengal is proud that it is the most temperate province in India. I will quote figures to show that the consumption of country liquor is the lowest in this province and it has been steadily going lower and lower still. The average consumption of country spirit per hundred of population in 1933 to 1934 has been as follows:—

Bombay—5.9 gallons.
Delhi—3.96 gallons.
Sind—2.69 gallons.
Central Provinces—1.99 gallons.
Madras—1.77 gallons.
Assam—1.68 gallons.
Bihar and Orissa—1.66 gallons.
Punjab—1.33 gallons.
Bengal—49 gallons.

You will find from the study of these figures, Sir, that Bengal has taken the right move in the right line, and if you want to accelerate the speed further I am afraid it will go out of gear and the whole thing will crush down.

Apart from the fact of lowest consumption in Bengal in comparison with other provinces you will be convinced from the facts and figures given below that year after year the total consumption is steadily going down in Bengal:—

#### *Alcohol—*

1911-12 total consumption was 797,000 gallons.
1925-26 total consumption was 632,000 gallons.
1935-36 total consumption was 296,000 gallons.

#### *Ganja—*

1911-12 total consumption was 123,000 seers.
1925-26 total consumption was 71,500 seers.
1930-31 total consumption was 46,000 seers.
1935-36 total consumption was 32,000 seers.

#### *Opium—*

1911-12 total consumption was 67,000 seers.
1925-26 total consumption was 40,000 seers.
1935-36 total consumption was 28,000 seers.

Sir, considering all that this Government have done and has been doing at present to fight against drunkenness and intemperance, I hope the honourable movers of the cut motions will be pleased to withdraw the same.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I rise to take part in this debate because I feel that the speech of the Hon'ble Minister for Excise has left an impression on the House that the Government have got a halting policy so far as Excise is concerned. Whatever may have been the decision of Government before and whatever may have been the reasons which have induced my honourable friend the Minister for Excise to advocate a cautious policy, I am convinced by the speeches that have been delivered in this House, that opinion is practically unanimous (hear, hear) that there should be total prohibition in this province. I am prepared on my own responsibility to declare that prohibition would be our ultimate goal (hear, hear) and I am prepared also to announce that I shall follow the example of the Chief Minister of Madras and try to experiment in one or two areas the total prohibition (hear, hear). Sir, some of our friends are so very keen on total prohibition as to demand a time limit within which we could achieve this object. My friend Mr. Hashemy has suggested 5 years, namely, our term of office. Will he guarantee that if we can do it we shall be reappointed also as a reward? Sir, we all know that total prohibition has been attempted in various countries and has lamentably failed, but that is no reason why we in India should not attempt and see what we can do (hear, hear). Sir, speaking as a Moslem I believe it to be my duty to try and have total prohibition and as a servant of the people also I am not worth my salt if I do not try to carry out the mandate of the House (hear, hear). I know, Sir, and I again speak as a Moslem, that there is only one instance recorded in history where one man could achieve total prohibition in his life time. That was the case of our Prophet. We, Moslems, believe that he had divine providence and divine assistance. That is why he succeeded but we are ordinary mortals and we work with human equipment but all the same there is no reason why we should not follow in the footsteps of great men and try to achieve results which without doubt are commendable. Sir, I therefore, say not only shall total prohibition be our goal but we shall try to make experiments in certain selected areas and we shall try, if possible, to do our very best and not half-heartedly to carry out this policy to success within the term of our office (Loud cheers).

Sir, I would say one or two words regarding the point raised by my friend Mr. Abul Hashim. He has referred to a letter written by Mr. Macpherson, the Commissioner of Excise. Sir, if he has written a letter like that I am sincerely sorry and I must declare that that thing was most unwise. It was certainly an incitement to people to come forward and indulge in intoxicating liquor.

Sir, I have not got much to say. My friend Mr. Pramatha Nath Banerjee's motion is to raise the question of total prohibition in this province. I have practically accepted what is hinted at.

As regards Mr. Tamizuddin Khan's motion which is to disapprove of the Excise policy, I have practically said that up to now we have not been able to achieve anything tangible. Therefore, Sir, on both the points we have accepted the policy underlying the motions.

**Mr. JOGESH CHANDRA GUPTA:** Will the Hon'ble Minister be pleased to state whether he will use the Government Publicity Department to carry on propaganda for prohibition and allow social workers to try and carry on propaganda in favour of prohibition?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** On those points I will consult the Cabinet because without consulting my colleagues I cannot say anything off hand but I can give this assurance that I will try my best and exert my personal influence to act as my friend has suggested.

**Maulvi TAMIZUDDIN KHAN:** Sir, I beg leave of the House to withdraw my motion.

**Mr. PRAMATHA NATH BANERJEE:** Sir, I propose to strengthen the hands of my Hon'ble friend by voting.

The motion of Maulvi Tamizuddin Khan and the motion of Rai Harendra Nath Chaudhuri (864) were then by leave of the House withdrawn.

The motion of Mr. Syed Jalaluddin Hashemy was then by leave of the House withdrawn.

**Mr. PRAMATHA NATH BANERJEE:** Sir, in view of the assurance given by the Hon'ble Chief Minister I also beg leave of the House to withdraw my motion.

(After leave was granted by the House to Mr. Pramatha Nath Banerjee to withdraw his motion.)

**Mr. NIHARENDU DUTTA MAZUMDAR:** Sir, I object to the withdrawal.

**Mr. SPEAKER:** If you had any objection, you should have shouted louder.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Yes, Sir, I shouted loudly.

**Mr. SPEAKER:** And you ought to have been in your seat Mr. Dutta Mazumdar. I have always desired that members should be in their seats just before the division.

(The members were then asked to raise their hands for and against the withdrawal of Mr. Pramatha Nath Banerjee's motion and a count was taken in each case.)

The motion of Mr. Pramatha Nath Banerjee (846) was then by leave of the House withdrawn.

The motion that a sum of Rs. 17,77,000 be granted for expenditure under the head "8—Provincial Excise" was put and carried.

#### 11—Registration.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 18,81,000 be granted for expenditure under the head "11—Registration."

**Mr. SPEAKER:** The Coalition Party have not given any notice of motion for amendment. I will ask the Congress Party if they would like to move any amendment. I have informed the Whip that the proceedings may not be lengthened as I want to finish by 1-30. If any amendment is to be moved it will have to be moved in 5 minutes' time.

**Mr. P. BANERJI:** Sir, may I move all the motions standing in my name and have one discussion?

**Mr. SPEAKER:** I could have allowed if there were one or two motions only but as there are 8 or 9 motions I cannot allow a debate on so many as in that case there is likely to be confusion of issues.

**Mr. P. BANERJI:** Sir, I beg to move No. 806 (policy of appointment in the Registration Department) and 808 (to discuss the grievances of the Registration employees).

Now, Sir, as there is very little time at my disposal I would only point out that year after year we brought to the notice of the Government the grievances of the employees of the Registration Department and asked for their redress but without any result. Ministers came and Ministers have gone giving assurances year after year but without any material result. I will now point out the grievances, particularly of the copyists of the Calcutta Registration Office. Sir, these grievances are very legitimate. As I pointed out last year also and you,

Sir, the then Minister in charge of this department, gave me assurance but that assurance was not acted up by your subordinates. My point therefore will be at once to bring to the notice of the Chief Minister, who is in charge of this department, that there is no justification for keeping the post of the Inspector-General of Registration and that will at once bring an economy in this department to the tune of Rs. 17,000. One Inspector, Sir, Khan Bahadur Maulvi Fazlul Quadir, who is now here, was in fact doing all the work during his time as Inspector of Registration Offices. Now, as soon as that gentleman retired two posts have been created there in place of one. I fail to understand the reason of making this additional cost at this time.

You, Sir, gave assurance at a time when there was no money in this department. Now, the income has increased but the conditions of these extra establishment remain the same. I would only mention that the copyists in High Court get at the rate of Rs. 2-9 while the copyists in this department get only Re. 1-4 for the same work. Therefore they are not even getting a living wage. Their income is only Rs. 20 to Rs. 25 per month.

Now, Sir, when the opportunity of recruiting permanent staff comes no appointment is given to any man from the extra staff who has long experience. The system of examination has only recently been introduced and in the name of the examination what we find is that so many persons, I mean, the satellites and dependants of the higher officers are put in. Sir, I do not find any logic whatever in the principle which the Government follow in recruiting and promoting persons from extra copyists in the Registration Offices. Sir, I do not consider this examination necessary in view of the fact that extra copyists who are working in the department for more than 15 or 20 years and who are quite capable officers are not given promotion and outsiders are brought in. About the examination I may say that if the Hon'ble Minister be pleased to make enquiries he will find that the questions that are set for this examination for the recruitment of copyists are really questions which should be set for examination for the recruitment of sub-registrars. All that the copyists are required to be is that they should be neat and quick writers. Moreover, Sir, we are surprised to find that the men, who are Matriculates and who have been working in this Department for very many years, have been declared to be incompetent. In reply to question put on the 18th August, 1937, the Hon'ble Minister in charge stated that these men are incompetent. If it is maintained that these men are incompetent the fact remains that they have been retained so long as 10, 15 or even 20 years in spite of their incompetence. The fact that they have been kept on so long shows that they are competent men. Then, Sir, these men are getting very low allowances; certainly, they are not paid even a living wage. I would therefore bring to the notice of the

Hon'ble Minister in charge to see whether it is practicable to do something to improve the lot of these poor hardworked men, in view of the fact that this Department is working at a great profit to the Government—

(At this stage the member having reached the time-limit resumed his seat.)

**Khan Bahadur Maulvi FAZLUL QUADIR:** Sir, may I have 10 minutes?

**Mr. SPEAKER:** I am sorry I cannot allow you more than 5 minutes.

**Khan Bahadur Maulvi FAZLUL QUADIR:** Sir, in supporting the cut motion of Mr. P. Banerji I desire to say few words regarding the manner in which work is extorted from the staff of the Registration Department. The Hon'ble Minister in charge in reply to a question put by Mr. Abdul Latif Biswas on 2nd August, 1937, said: "Sometimes the clerks have to work outside office hours." The Hon'ble Khan Bahadur Azizul Huq, when a non-official member of the Bengal Legislative Council in 1931, in moving a cut motion drew attention to the urgent necessity of equalising the pay of ministerial officers in the department with the pay of such officers in the Collectorate offices. He also said: "It is admitted that the Registration Department is a very large department, but this department has been squeezed as much as possible and the officers and clerks of the department are getting almost starvation wages."

Sir, in 6 hours (i.e., office hours) each muharrir has to copy 4,200 words and to compare 8,400 words. Excluding the time spent on comparing one man has to copy at least 18 words a minute. Sir, it is humanly impossible to copy 18 words per minute continually. There are young and old and it is not possible for an old man to do the same amount of work as he was able to do in his younger days. Besides these men have often to copy from indecipherable manuscripts. Therefore, Sir, I submit that the rate of daily outturn of 4,200 words should be reduced to one of 3,600 and I would most earnestly request the Hon'ble Minister in charge to relieve the lot of these poor clerks and muharrirs. Sir, the second point is that in the office of the Registrar of Calcutta, I understand, there are only 8 permanent copyists and 25 extra copyists. There is room therefore for 10 permanent posts. I would therefore suggest that 10 permanent posts be created. The extra copyists who have been working for nearly 20 years should be given a chance of getting permanent posts.

Then, my friend, Mr. Banerji, has referred to the appointment of Inspector of Registration Offices. I beg to submit that formerly there

were 4 such posts and the number was reduced to one. I would propose that the number of Inspectors be increased to 4 for the good administration of the Department.

Then, Sir, there are 21 offices where the number of registration of documents exceeds 5,000 and in some cases 6,000. I beg to suggest that joint registration offices should be opened at such places. Owing to influx of heavy registration the distance of registration offices parties, especially females, are often put to great inconvenience, expense and trouble. I, therefore, beg to recommend that 10 or 12 offices should be opened at such places where the demand is urgent.

Then, Sir, extra muharrirs are not paid monthly. I would suggest that some arrangement might be made to pay them monthly.

There is another grievance, Sir. The permanent copyists are not granted casual leave. I beg to suggest that this matter may kindly be looked into.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I have listened to the debate on the two motions moved respectively by my friends, Mr. Banerji and Khan Bahadur Fazlul Quadir. I think I heard a remark about the abolition of the post of Inspector-General of Registration. The question was examined twice and it was found to be beyond practical politics so far as Bengal is concerned. In the old Government of Eastern Bengal within my knowledge the Inspector-General of Registration combined with him the functions of the Commissioner of Excise; and in Assam a similar experiment is being made; but Bengal is a much bigger province and the work that is being done by the Inspector-General is of such a very heavy and responsible character that it cannot be entrusted to any other official; for the present, Government have considered this question and are not prepared to accept the proposal that this post should be abolished. If, however, circumstances show that economy can be effected in that direction, I can give my friends this assurance that we will certainly consider whether the post of Inspector-General cannot be combined with some other post, such as Commissioner of Excise. But, at present advised, I do not think that it can be done.

Sir, as regards the other points raised by my friends, I can say that most of these concern details about which I am personally ignorant; but what I propose to do is to forward a copy of the debate in this House to the Inspector-General of Registration, who is our adviser in this Department and I would ask him to let me have his views as to how far the proposals that have been made can be accepted. I believe that there are some in which relief can be immediately given. I know that the lot of the copyists in the Registration Department as well as

that of the poor muharrir is very hard and I can tell the House that I have on my own motion asked the Inspector-General to consider what relief can be given to these poorly-paid hardworked officers.

Then, as regards the question of the second post of Inspector of Registration Offices, I can inform the House that an additional post has been created and the appointment to that post has been made very recently. On that point I do not think there is any cause for any complaint. Generally, as I have said that I am ignorant of details, I will seek the help of the Inspector-General to carry into effect all the suggestions that have been made in this House. Some of them seem to be of a very pressing character, and I can give my friends an assurance that I will do my best to see that they are carried out. With these words I commend the demand for the Registration Department to the favourable consideration of this House.

**A Member:** May I know what is the Government policy regarding bribery and corruption?

**Mr. SPEAKER:** The question has not yet been raised at all.

The motion of Mr. P. Banerji was then put and lost.

~~As the above motion covered No. 806, the latter did not arise.~~

Then the motion that a sum of Rs. 18,81,000 be granted for expenditure under the head "11—Registration" was put and agreed to.

#### Adjournment.

The House was then adjourned till 3-30 p.m. on Monday, the 6th September, 1937, at the Assembly House, Calcutta.

**Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.**

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 6th September, 1937, at 3-30 p.m.

**Present:**

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, the eleven Hon'ble Ministers and 213 members.

**STARRED QUESTIONS**

(to which oral answers were given)

**Detenu Mr. Paresh Chandra Sanyal.**

**\*97. Mr. CHARU CHANDRA ROY:** (a) Is the Hon'ble Minister in charge of the Home (Special) Department aware that the health of Mr. Paresh Chandra Sanyal, of Tungail, a detenu in Deoli Camp, is broken down?

(b) Will the Hon'ble Minister be pleased to state—

(i) the action taken by Government to improve Mr. Sanyal's health; and

(ii) whether Government are prepared to transfer him to any healthier place in Bengal?

**MINISTER in charge of HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin):** (a) and (b) (i) The detenu has complained of dyspepsia, insomnia and loss of appetite, but on medical examination no organic defect has been found. His present weight is 135 lbs. compared with 148 lbs. on admission.

(ii) Orders have been issued for his transfer to Bengal.

**Babu NAGENDRA NATH SEN:** What is the reason for this reduction in weight of 13 lbs.?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I ask for notice.

**Mr. NIHARENDU DUTTA MAZUMDAR:** How long has the detenu been suffering from dyspepsia?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I ask for notice.

**Mr. NIHARENDU DUTTA MAZUMDAR:** How long was the detenu kept under detention before the complaints were made by him to the authorities?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I ask for notice.

#### **Detenus from Midnapore.**

**\*98. Mr. DEBENDRA LALL KHAN:** (a) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state—

- (i) the number of persons in the district of Midnapore who have still been kept as detenus under the Bengal Criminal Law Amendment Act; and
- (ii) the number that have been kept—

(1) in jails,

(2) in detention camps, and

(3) as village and home internees respectively?

(b) Do the Government propose to release them in near future?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** (a) The information desired by the hon'ble member cannot be collected without an undue expenditure of time and labour which Government regret they are unable to undertake.

(b) The attention of the hon'ble member is invited to the statement made by me on the 9th August.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if he maintains any register of detenus and other political prisoners in different jails and in different camps?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I do not maintain any register district by district.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if the District Magistrates have any concern with the administration of detenu camps or other places of detention?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** A certain amount of concern they do have.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if the District Superintendent of Police has got anything to do with the administration of persons detained under his respective jurisdiction?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Yes, Sir, under their respective police jurisdictions they have a certain amount of control.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if the District Superintendents of Police and District Magistrates have to exercise jurisdiction over some of these persons placed under detention in their jurisdictions; and if so, is it not up to them easily to find out who they are and how many of them there are under their respective jurisdictions?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** There are other methods also of finding out the information, but as I have already stated it entails a great amount of labour, time and cost of money which Government regret they are unable to undertake.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if a simple letter addressed to the Superintendent of Police would give him this information or not?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** It would not do if we addressed only one Superintendent of Police.

**Dr. NALINAKSHA SANYAL:** But so far as this question is concerned, it is with regard to Midnapore only. The question is as follows:—

“(i) the number of persons in the district of Minapore who have still been kept as detenus under the Bengal Criminal Law (Amendment) Act.”

May I submit that in the circumstances stated, it refers to Midnapore only?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** But may I draw the honourable member's attention to question No. (ii) namely, the number that have been kept in jails, in detention camps which concern more than one district?

**Dr. NALINAKSHA SANYAL:** But is it not also a fact that there are two jails in Midnapore and that is more than one?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I understood it to mean jails all over Bengal.

**Chairman, District Board, Midnapore.**

\*99. **Mr. NIKUNJA BEHARI MAITI:** (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether the present Chairman of the District Board of Midnapore holds office as an elected Chairman by the members of the District Board; or appointed by the Government?

(b) If the answer to clause (a) is in the affirmative, will the Hon'ble Minister be pleased, in view of the changed condition of the country, to restore to the members of the District Board the right of electing their Chairman as soon as possible?

**MINISTER in charge of PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Maulvi Syed Nausher Ali):** (a) The present Chairman has been elected by members of the District Board and not appointed by Government.

(b) Does not arise.

**Mr. NIKUNJA BEHARI MAITI:** Is the Hon'ble Minister aware that the present Chairman of the District Board of Midnapore is not an inhabitant of that district?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I am not aware, Sir.

**Reconstitution of Local Boards, Midnapore.**

\*100. **Mr. ISWAR CHANDRA MAL:** (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether the reconstitution of Local Boards in the district of Midnapore has been due after their term of four years?

(b) If the answer to clause (a) is in the affirmative, will the Hon'ble Minister be pleased to state when the next election of members to the local boards in the said district will take place?

**The Hon'ble Maulvi SYED NAUSHER ALI:** (a) and (b) The reconstitution of the local boards will be due in August, 1938, and the general election will be held on such dates as may be fixed by the Magistrate of the district under the Election Rules.

#### Midnapore Local Boards.

\*101. **Mr. NIKUNJA BEHARI MAITI:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

- (i) when were the last local boards' elections held in the district of Midnapore;
- (ii) what is the usual period of existence of these boards;
- (iii) whether that period has in the case of the Midnapore local boards been extended;
- (iv) if so, by which period; and
- (v) when will the next local boards' elections be held?

**The Hon'ble Maulvi SYED NAUSHER ALI:** (i) 10th June, 1933.

(ii) Four years in areas to which section 7 of the Bengal Local Self-Government (Amendment) Act, 1936, has not been extended and 5 years in areas to which this section has been extended.

(iii) and (iv) Section 7 of the Bengal Local Self-Government (Amendment) Act, 1936, is applicable to Midnapore local boards.

(v) On a date to be fixed by the District Magistrate under Rule 32A of the Election Rules under the Local Self-Government Act.

**Mr. NIKUNJA BEHARI MAITI:** With reference to answer (iii) and (iv), what is the reason for applying section 7 of the Bengal Local Self-Government (Amendment) Act, 1936?

**The Hon'ble Maulvi SYED NAUSHER ALI:** The Act has been extended to as many as 17 districts, and Midnapore is one of them.

**Mr. ISWAR CHANDRA MAL:** Is it not desirable to apply the amended Act to such boards as had been constituted before the passing of that Act?

**The Hon'ble Maulvi SYED NAUSHER ALI:** Not necessarily, Sir.

### Witness sheds in criminal courts, Rangpur.

\*102. **Haji SAFIRUDDIN AHMED:** Is the Hon'ble Minister in charge of the Revenue Department aware that there are no witness sheds in criminal courts in the Rangpur district headquarters? If so, does the Government contemplate to erect the same in the criminal courts at Rangpur at an early date?

**MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):** There is a witness shed which is now being used to accommodate the Bengal Tenancy Act, Certificate and Debt Settlement offices. It is proposed to shift these offices to the main building when the Police office moves to the Settlement office building on the termination of the District Settlement operations. This arrangement will probably take effect within a year, so the witness shed is likely to be available for witnesses within that period.

**Babu NAGENDRA NATH SEN:** Where will the witnesses sit in the meantime?

**The Hon'ble Sir BIJAY PRASAD SINGH ROY:** I want notice.

### SHORT NOTICE STARRED QUESTIONS AND ANSWERS.

#### Hunger-strike of detenu Mr. Abdul Halim.

\*102A. **Miss MIRA DUTTA GUPTA:** (a) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state whether it is a fact that Mr. Abdul Halim, who is now a detenu at Pachagarh in the district of Jalpaiguri, is on hunger-strike?

(b) If so, since when did he start his hunger strike?

(c) What are the reasons for this action?

(d) What is the present state of health of Mr. Halim?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** (a) and (b) The detenu has given up the hunger strike on the 1st September.

(c) Sympathetic hunger-strike with the Andamans Hunger-Strikers.

(d) His health is satisfactory.

**Mr. NIMARENDU DUTTA MAZUMDAR:** Will the Hon'ble Minister be pleased to state whether any communications were sent by the detenus to jail authorities before they resorted to a hunger-strike?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I ask for notice.

**Mr. NIMARENDU DUTTA MAZUMDAR:** Did the Hon'ble Minister enquire about the state of health of the detenu when he went on hunger-strike?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** No, Sir.

**Mr. NIMARENDU DUTTA MAZUMDAR:** With regard to question (c), may I know if the Hon'ble Minister took any steps to ascertain whether any reason was given by the detenu before he actually resorted to a hunger-strike?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I believe he did give reasons that his was a sympathetic hunger-strike.

**\*102B. Babu KHAGENDRA NATH DAS GUPTA:** (a) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state whether it is a fact that Mr. Abdul Halim, a detenu now interned at Pachagarh in the district of Jalpaiguri, has gone on hunger-strike?

(b) If the answer to (a) is in the affirmative—

(i) what are the reasons which led him to take such an extreme step; and

(ii) for how many days has he been on hunger-strike?

(c) Is it a fact that he has been suffering on and off from various diseases since his internment at Pachagarh?

(d) Does the Hon'ble Minister contemplate releasing him at an early date?

(e) Will the Hon'ble Minister be pleased to state whether he is considering the desirability of permitting the questioner, who represents the constituency wherein the detenu Mr. Halim has now been kept in confinement, to have an interview with him to ascertain the present state of his health, his grievances and if necessary, to induce him to give up the hungerstrike?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** (a) and (b) The detenu has given up the hunger strike.

(c) His health is satisfactory.

(d) His release will be considered in accordance with the policy announced by Government.

(e) Does not arise.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if the report about his health has been obtained from a Civil Surgeon?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I ask for notice.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Will the Hon'ble Minister be pleased to state on what report he opines that his state of health is satisfactory?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** On the last report we had about him.

**Mr. NIHARENDU DUTTA MAZUMDAR:** From whom was the last report about the health of Mr. Abdul Halim obtained?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I ask for notice.

**Mr. DHIRENDRA NATH DATTA:** For how many days was he on hunger strike?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** He commenced it on Saturday, the 26th July and gave it up on the 1st August.

### UNSTARRED QUESTIONS

(to which answers were laid on the table)

#### Calcutta Improvement Trust schemes.

**86. Maulvi ABUL QASEM:** (a) Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware—

- (i) that schemes framed years back by the Calcutta Improvement Trust for the improvement of Wards Nos. 14, 15, 16, 17, 18, and 27 have yet remained in abeyance; and
- (ii) that several schemes framed later affecting portions in the northern quarters of the city have been carried out?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state the reason for giving preference to schemes framed later?

**The Hon'ble Maulvi SYED NAUSHER ALI:** (a) (i) No such scheme has been kept in abeyance. The only schemes framed in respect of any of these wards not yet completed are two schemes in Ward No. 27, viz., Scheme No. XXXIII regarding Southern Avenue—1st Section, which is nearing completion, and Scheme No. XLVII regarding Eastern portion of Southern Avenue, which is in progress.

(ii) Some of the schemes which have been carried out in north Calcutta were framed later than those referred to in (a) (i). I may explain that it has been the policy of the Trust to carry out works in the north and south of the city simultaneously as far as possible.

(b) Does not arise.

**Maulvi: ABUL QUASEM:** In which portions of Wards 14 and 15 improvements have been carried out?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I want notice.

#### Grants to union boards by district boards.

**87. Mr. BIRENDRA KISHORE RAY CHAUDHURY:** (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state the principle according to which the district boards make financial grants to the union boards?

(b) Is it a fact that many union boards in spite of their levying a rate under section 37 (b) of the Bengal Village Self-Government Act, 1919, receive only a nominal grant from the district boards?

**The Hon'ble Maulvi SYED NAUSHER ALI:** (a) The hon'ble member's attention is invited to section 45 of the Village Self-Government Act, as well as to Government Circular No. 3267-70L.S.-G., dated the 20th July, 1921, a copy of which is laid on the Library table, in which the district boards were directed to distribute a substantial portion of the augmentation grants received by them among the union boards within the district.

(b) Government are aware of complaints by union boards regarding inadequacy of the grants made to them by the district boards.

**Maulvi ABDUL BARI:** Is the Hon'ble Minister thinking of laying down a general principle regarding payments to be made by district boards to union boards?

**The Hon'ble Maulvi SYED NAUSHER ALI:** The principle is already laid down, as stated in the reply and in financial matters like this, Government do not consider it desirable to force the hands of district boards which are self-governing institutions, but would always expect them to assist union boards as liberally as their funds would permit.

**Maulvi ABDUL BARI:** Will the Government consider the desirability of taking action against delinquent district boards who do not respect the Government Circular?

**The Hon'ble Maulvi SYED NAUSHER ALI:** The question assumes that district boards have been guilty of delinquency which I am not prepared to accept.

#### Detenus of Pabna and Bogra.

**88. Babu NARENDRA NARAYAN CHAKRABARTY:** (a) Will the Hon'ble Minister in charge of the Home (Political) Department be pleased to lay on the table a statement showing—

- (i) the names of persons resident of districts of Pabna and Bogra respectively, who have so far been arrested and detained under the Bengal Criminal Law Amendment Act and the Bengal Suppression of Terrorist Outrages Act;
- (ii) how many of them are still under detention—
  - (A) in detention camps,
  - (B) in jails,
  - (C) in village domicile—(1) outside the district, and
  - (2) within the district, and
  - (D) in home internment;
- (iii) the names of internees from other districts at present detained in the districts of Pabna and Bogra respectively; and
- (iv) whether any—
  - (A) personal allowance, and
  - (B) family allowance, are paid to all the internees mentioned in (i) and (ii)?
- (b) If the answer to (a) (iv) is in the negative, will the Hon'ble Minister be pleased to state—
  - (i) the number of detenus under (a) (i) and (iii) to whom—
    - (A) personal allowance, and
    - (B) family allowance, respectively, are paid;

- (ii) the amounts paid to each detenu under the above heads separately; and
- (iii) names of detenues who have complained of—
- (1) insufficient personal or family allowance,
  - (2) indifferent health, and
  - (3) inadequate medical aid?

(c) How many internees under (a) (i) and (iii) have applied for their removal to—

- (i) healthier places;
- (ii) home domicile; and
- (iii) places where adequate medical aid is available?

(d) How many of these applications referred to in (c) have been granted and how many refused?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** The information desired by the hon'ble member is not available and cannot be obtained without an undue expenditure of time, labour and money which Government regret they are unable to undertake.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to say whether there is an officer known as District Intelligence Officer of the Special Branch whose duty it is to maintain a register of detenues and other political prisoners detained in a district?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I again repeat that this question refers to all the detenues who belong to Pabna and Bogra and a mere retention of register is not going to help me to answer the question.

**Mr. SARAT CHANDRA BOSE:** Will the Hon'ble Minister be pleased to state if it is a fact that District Officers do maintain a register containing the names of persons belonging to districts to whom the Bengal Criminal Law (Amendment) Act applies?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** No, Sir.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if his reading of the question is that this question refers to persons residing elsewhere?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I think it refers to persons who are residents of Pabna and Bogra who have so far been detained. Such detenues of Pabna and Bogra are under detention all over Bengal.

**Performance of prayers by Muhammadan prisoners in the Comilla Jail and other jails.**

**89. Maulvi MD. HASANUZZAMAN:** (a) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state—

- (i) whether there is any legal bar to the prisoners in Bengal jails performing their religious rites and saying their prayers regularly;
- (ii) whether the Muhammadan prisoners of Comilla jail are allowed to perform their religious rites; and
- (iii) whether on the occasion of the last *Kalipuja* ceremony a performance was held in the Comilla jail compound?

(b) If the answer to (a) (iii) is in the affirmative, what are the reasons for not allowing the Muhammadan prisoners to sacrifice cows and perform prayers in the jail?

(c) Will the Hon'ble Minister be also pleased to state whether Government are considering the desirability of allowing cow sacrifice and performance of prayers by Muhammadan prisoners in the Comilla jail and other jails of the province?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** (a) (i) and (ii) Prisoners in Bengal jails, including the Muhammadan prisoners in the Comilla jail, are allowed to say their prayers and observe certain religious rites.

(iii) A *jatra* performance was held near the staff quarters but outside the perimeter wall; no animal sacrifice was made.

(b) No animal sacrifice is allowed in a jail; Muhammadan prisoners are allowed to say their prayers.

(c) I am not prepared to change the existing rules.

**Mr. SYED JALALUDDIN HASHEMY:** With reference to answer (c), does it not interfere with the religious rights of Muslim prisoners?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** No, Sir. I do not think that interferes with the religious rights of Muslims.

**Female convicts.**

**90. Mr. SATYA PRIYA BANERJI:** Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to lay a statement on the table showing since 1930—

- (i) the names of the ladies who have been convicted for offences of a political nature;

- (ii) the jails in which they are at present lodged;
- (iii) their social status before conviction;
- (iv) the divisions in which they have been placed; and
- (v) a description of the kits supplied to the division III lady prisoners?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** (i) to (iv) I lay on the table a statement giving the information desired in respect of women now undergoing imprisonment after being convicted of murder, attempted murder, or other offences committed in furtherance of political movements.

(v) Attention is invited to Rules 1159 and 1163 of the Bengal Jail Code, Volume I, a copy of which is in the Library.

*Statement referred to in the answer to clauses (i) to (iv) of unstarred question No. 90, regarding female terrorist convicts confined in Bengal Jails.*

Serial No.	Name.	Jails in which confined.	Division in which placed.	Social status before conviction.
1	Santi Ghosh	Midnapore	II	Deemed to have been accustomed to a superior mode of living.
2	Kalpana Dutt	Ditto	II	Ditto.
	Bina Das	Dinajpur	II	Ditto.
4	Amiya Majumdar	Ditto	II	Ditto.
5	Parul Mukherji	Presidency	II	Ditto.
6	Suniti Choudhury	Dacca	III	Not deemed to have been accustomed to a superior mode of living.

**MR. CHIRENDRA NATH DATTA:** Is the Hon'ble Minister aware that Suniti Chowdhury is a daughter of a Government employee whose father was a ministerial officer in a Collectorate?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** An ex-Government officer who has retired.

**Mr. PROMATHA RANJAN THAKUR:** Has the Hon'ble Minister any objection to use the term "lady" in place of "woman" in the answer?

(No answer).

**Mr. SHIB NATH BANERJEE:** What is the age of Sumti Chowdhury?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I ask for notice.

**Mr. KIRAN SANKAR ROY:** Has the Hon'ble Minister any particular reason why the word "lady" should not be used in the answer?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** She is a convict and I do not know if the epithet "lady" should be used in respect of a convict woman.

#### **Suicide by detenu Mrinal Kanti Choudhury of Jessore.**

**91. Mr. ATUL KRISHNA CHOSE:** (a) Is the Hon'ble Minister in charge of the Home (Special) Department aware of the circumstances under which Mrinal Kanti Choudhury, of Jessore, committed suicide in the Detention Camp at Dedi?

(b) Will the Hon'ble Minister be pleased to state whether any letter was left behind by the said detenu?

(c) If so, are Government considering the desirability of making the same public?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** (a) Yes, he feared violence at the hands of other detenus.

(b) There is nothing about a letter in the records of the case. The suicide took place over five years ago.

(c) Does not arise.

#### **District Board dispensary in the village Kundala, Birbhum.**

**92. Dr. SHARAT CHANDRA MUKHERJI:** (a) Is the Hon'ble Minister in charge of the Local Self-Government (Medical) Department aware—

(i) that a permanent District Board dispensary in the village Kundala, thana Monneswar, district Birbhum, of 17 years

standing has abruptly been closed and removed to a village Kotasure; and

(ii) thereby causing distress to the poor inhabitants of about 35 villages?

(b) If the answer to clause (a) (i) is in the affirmative, will the Hon'ble Minister be pleased to make an enquiry into the matter?

**The Hon'ble Maulvi SYED NAUSHER ALI:** A representation to this effect was received by Government on the 26th July, 1937, and a report has been called for from the District Magistrate of Birbhum.

#### MUSLIMS CIVIL SURGEONS

**33. Mr. K. NOORUDDIN:** (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to name how many higher posts are held by Muslims in the Medical Department?

(b) What is the proportion?

(c) How many Civil Surgeons are at present in Bengal?

(d) How many are Muslims?

**The Hon'ble Maulvi SYED NAUSHED ALI:** (a) and (b) These questions are indefinite.

(c) Twenty-seven.

(d) None at present.

**Maulvi ABDŪL BARI:** Are Members of the I. M. S. recruited from among the Members of the Bengal Medical Service?

**The Hon'ble Maulvi SYED NAUSHER ALI:** I am not aware, Sir.

**Mr. SYED JALALUDDIN HASHEMY:** Will the Hon'ble Minister be prepared to fill the 28th vacancy in Civil Surgeoncy by a Muhammadan?

**The Hon'ble Maulvi SYED NAUSHER ALI:** If a suitable candidate be available.

## Short Notice Question (Starred).

**Mr. NIHARENDU DUTTA MAZUMDAR:** Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state—

- (i) whether it is a fact that the office of the E. B. Railway Workers' Union at Kanchrapara, which is also the local constituency office of the Hon'ble Member for Barrackpore Labour Constituency, was searched by the local police on Friday, the 27th August;
- (ii) whether it is a fact that Mr. Pulin Bhattacharjee, who was in charge of that office as local representative of the Hon'ble Member for Barrackpore Labour Constituency and also as an employee of the aforesaid Union, was arrested after the search and is being detained in custody;
- (iii) was there a valid warrant for the aforesaid search and arrest;
- (iv) what are the reasons for the same;
- (v) what is the nature of articles seized in the course of the search;
- (vi) whether he is aware that the General and Departmental Membership Register Books of the Union were seized and carried away by the police along with the personal effects of Mr. Bhattacharjee;
- (vii) what are the reasons for the seizure of the Membership Registers and Books of the Union; and
- (viii) whether he contemplates passing necessary orders—
  - (1) for the immediate restoration of the articles belonging to the Union; and
  - (2) directing that Mr. Pulin Bhattacharjee be forthwith released?

**The Hon'ble Khwaja Sir NAJMUDDIN:** (i) Yes.

(ii) Yes.

(iii) No warrants were required by law.

(iv) The premises were searched and Mr. Pulin Bhattacharjee was arrested on the requisition of the Officer-in-charge, Canning P. S. in connection with a case under section 117, I.P.C., read with sections 143 and 448, I.P.C., which has been started there against Mr. Pulin

Bhattacharjee. The offence being cognizable, no warrant was necessary for his arrest.

(v) and (vi). The following articles were seized:—

(a) A note book containing several articles on communism and conditions in Russia, and articles criticising terrorism and Gandhism.

(b) three pamphlets in Bengali on the present conditions in Russia.

(c) The E. B. Railway Workers' Union notice book, Kanchrapara.

(d) Registration book, E. B. R. Workshop Union.

(vii) The Registers were seized for scrutiny and examination.

(vii)(1) No. The articles would be disposed of according to law.

(2) The offence for which Mr. Pulin Bhattacharjee is arrested is bailable.

**MR. N. HARENDU DUTTA MAZUMDAR:** Was that charge against the arrested person in connection with some work of the local Kisan Samities in the Port Canning area?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** This is a short notice question, Sir, and I have no further information available.

**MR. N. HARENDU DUTTA MAZUMDAR:** If there was no warrant for the seizure of the register books of the union, under what authority did the police seize the books of the union which is a perfectly lawful organization of workers?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** They can do that on the strength of the search warrant, Sir.

**DR. NALINAKSHA SANYAL:** Is it the practice with the police to take any and everything during a search or is it the practice to take only such articles and other things which may be of an incriminating nature?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Whatever they think is necessary they take.

**DR. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if articles criticising terrorism are considered objectionable by the police?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** This case is *sub judice* and the articles have been seized in connection with certain charges that have been made. I do not even know what those charges are and I am afraid I cannot add anything more to what I have already stated.

**Mr. NIHARENDU DUTT MAZUMDAR:** What is the scope of the search warrant which was issued and what were the articles which the police were authorised to seize?

**Mr. SPEAKER:** The Hon'ble Minister has already said that in connection with this short notice question he has given all the information which was available to him. In view of that I do not think that this question can arise, especially as the matter is *sub judice*.

**Mr. NIHARENDU DUTT MAZUMDAR:** I am asking, Sir, about the articles which the search warrant authorised to be seized.

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I have no information on the subject.

**Dr. NALINAKSHA SANYAL:** Is an article criticising Gandhism objectionable?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** I do not say it is objectionable.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Will the Hon'ble Minister be pleased to state categorically whether it is not a fact that the register book of the union was seized with a view to victimise the employees who have joined the union?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** Certainly not.

**Dr. NALINAKSHA SANYAL:** Why were the articles criticising Gandhism and terrorism seized?

**Mr. SPEAKER:** I cannot allow that question because the Hon'ble Minister has already said that all this is in connection with a judicial case which is pending and therefore is not within the purview of this House.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Will the Hon'ble Minister be pleased to state whether Mr. Bhattacharya has been granted opportunities to come out on bail?

**The Hon'ble Khwaja Sir NAZIMUDDIN:** It is a bailable case and there is no reason to suppose otherwise.

**Mr. SPEAKER:** Next question.

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir, Mr. Dutta Mazumdar was on his legs and he was going to put other question when you were pleased to pass on to the next question. May we submit that we should have full opportunity to put supplementary questions during the first hour of every day's meeting?

**Mr. SPEAKER:** Dr. Sanyal, you must realise, and I hope both the Leader of the House and the Leader of the Opposition will agree with me that to-day is the last day of the Budget debate. I have given every latitude to put supplementary questions during the last 16 days, it would not be fair to the House if it does not get to-day the opportunity of participating in the Budget debate which has got to be brought to a close to-day.

**Regarding Mr. Speaker's consent to the adjournment motion of Mr. Surendra Mohan Maitra.**

**Mr. SURENDRA MOHAN MAITRA:** Mr. Speaker, Sir, I have got your consent to my adjournment motion to raise a discussion on the situation created by the closing down of the Rajshahi College by Government. May I now have the leave of the House to move it to-day.

**Mr. SPEAKER:** I have given my consent that this matter should be brought day after to-morrow and not to-day.

**Certain comments in the "Dainik Basumati" of 4th September 1937.**

**Mr. SPEAKER:** On Saturday last I referred to a matter of privilege of this Assembly arising out of certain comments in the "Dainik Basumati". The comment was—that Mr. Sarat Chandra Bose the leader of the opposition is devoid of sense of humour, else how could he even imagine the question of parliamentary dignity and decorum for the Bengal Legislative Assembly during the ministerial regime of Mr. A. K. Fazlul Haq.

The comment further was:—

In a legislature where Khwaja Nawab Habibullah can easily say that he has given up all that he possesses in order to improve the lot not merely of peasants but the toiling

millions of Bengal, does Mr. Sarat Chandra Bose think that parliamentary dignity and decorum can be established in such an assembly.

I brought the matter to the notice of the House on Saturday last and gave time to the paper concerned. I find that the paper in its issue on Sunday has justified its comments and has characterised it in a head line as an act of heat on my part.

I have considered the matter very coolly. If the paper would have merely remained content by criticising me or my conduct as the Speaker in any manner it liked, I would have advised you to leave the matter there. I have never been impatient of any criticisms in the press and I have always profited by them. The House knows that from the time I was elected as your Speaker, I was very anxious that every possible facilities should be given to the press, as I genuinely and honestly feel that in the future development and shaping of parliamentary government in this country, the press must always be one of the most important factors in our public life. The Leaders of the different parties know how anxious I have all along been to make suitable arrangements for a press gallery on the floor of this chamber and when permanent arrangements could not be made, I took personal interest in arranging a temporary gallery for the press. I shall always be anxious to provide every possible facilities for the reporters who have often to discharge very onerous and responsible duties and I would be the last person to be ruffled by any press comments so long it does not infringe on the privilege of this House. As a matter of fact there are other papers in Calcutta which have been no less critical but I am glad to say that they have been fair and reasonable in matters concerning this House.

I do maintain that whatever the nature and complexion of the Ministry, whether any particular Ministry remains or goes, the House shall always endeavour to maintain its own dignity and decorum and woe be the day when the House will defend its dignity and prestige on the colour of any Ministry. It is therefore for this House to decide whether a comment that a parliamentary dignity and decorum cannot be established by the House because of a particular Ministry is or is not serious breach of privilege for this House.

I do realise that this is only the beginning of parliamentary system of Government and as Mr. Bose reminded me the other day that we are still new to our task and I would have been glad to leave the matter there without bringing it to your notice if the paper had even remotely suggested in its second article that it did not mean to convey anything against the House itself, its privilege, dignity and decorum. I would have overlooked that part of the comment where, it is said that I was not able to keep the Chief Minister within bound of parliamentary decorum. I have since had opportunity to look to the practice in the

House of Commons and I find that for breaches of privileges committed in the House in the presence of the Speaker, the Speaker has the power direct to take action, but it has normally been the practice to refer such matters as also matters arising out of the House to a Committee of Privilege which is a sessional committee constituted at the beginning of each session. I also feel that the question of privilege is likely to arise from time to time and it is the house that should not only decide all its privileges but also all matters concerning breach of privileges. Dr. Sanyal has raised a question as how the newspapers should publish reports of proceedings of this House. I would therefore suggest that the Leader of the House may be pleased to move a resolution on the following lines as the first item immediately after questions on the 8th instant and if carried, I shall take steps to hold elections on the 9th so that I may have the advice and guidance of such a Committee in the present matter and in the matter raised by Dr. Sanyal. If such a Committee be constituted, it will enquire into all complaints of breach of privilege and recommend all matters concerning privileges.

#### Resolution.

That a Committee of Privilege be immediately constituted with the Deputy Speaker as the Chairman consisting of 11 members elected by single transferable vote and thereafter unless otherwise decided under Standing Rules and Orders, such a Committee be similarly constituted as a sessional committee as the first item at the beginning of each session.

**Mr. SPEAKER:** May I now know, if the Leader of the House will be agreeable to bring a resolution on the lines I have suggested?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I have no comments to make, but I shall be glad to bring forward such a resolution.

**Mr. SARAT CHANDRA BOSE:** Mr. Speaker, Sir, I think I should express the feeling which is uppermost in my mind at this moment, and that is, that the House may well congratulate itself on the decision you have taken this afternoon. As you know, Mr. Speaker, the House of Lords and the House of Commons in Great Britain, which together constitute what is known as the High Court of Parliament, have their respective Committees of Privileges. There they are in this advantageous position that each House is the guardian of its own privileges, and those privileges are in most respects well defined. In this country the difficulty that we have to face is this, that the privileges of a Chamber such as this are somewhat indefinite and undenned; and, therefore, Sir, I welcome all the more the decision which you have

taken this afternoon for the formation of a Committee of Privileges. I am also glad that the Leader of the House has expressed his assent to it.

The only other observation I desire to make is this. I feel that the constitution of such a Committee will not only preserve and enhance the dignity of the House, but it will, at the same time, preserve and enhance the dignity and independence of the Press and that is what we are all interested in. I am sure, Mr. Speaker, you yourself are interested in it just as much. I feel that without a dignified and an independent Press, which will make its comments without fear or favour and which at the same time will make its comments with dignity and decorum, without such a Press it is impossible for the province or the country to advance. I, therefore, welcome the decision which you have taken, and I hope the Committee of Privileges will function in such a manner as will contribute to the dignity of this House and also to the independence of the Press.

**MR. SPEAKER:** May I inquire of Mr. Millar if he agrees to the constitution of a Committee of Privileges on behalf of the European Group?

**MR. C. MILLAR:** On behalf of the European Group, Sir, I most thoroughly welcome the appointment of a such a Committee. And might I suggest that in its preliminary investigation any such Committee should consider what legislation may be necessary in order to enforce any decision which the Committee of Privileges might have to take?

**MR. SPEAKER:** Thank you, ladies and gentlemen.

The House will now proceed with the Budget demands, viz., Demand No. 13—Other Taxes and Duties.

## THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

### DEMAND FOR GRANT.

#### 13—Other Taxes and Duties.

**The Hon'ble Sir BIJOY PRASAD SINCH ROY:** On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 43,000 be granted for expenditure under the head "13—Other taxes and Duties".

**Mr. SPEAKER:** Maulvi Abu Hossain Sarkar.

**Dr. NALINAKSHA SANYAL:** May I submit, Sir, that all the demands that have to be voted or to-day may be moved by the Hon'ble Ministers one after another?

**Mr. SPEAKER:** What I propose to do is this. Half an hour should be devoted to the discussion of this demand, viz., "Other Taxes and Duties". Another hour should be devoted to the discussion of Labour matters under "Miscellaneous Department" and under "Ports and Pilotage", in which Labour is particularly interested. After these two demands are finished, I would ask the Hon'ble Ministers to move their demands one after another.

**Maulvi ABU HOSSAIN SARKAR:** Mr. Speaker, Sir, I beg to move that the sum of Rs. 43,000 demanded by the Hon'ble the Revenue Minister for expenditure under the head "13—Other Taxes and Duties" be reduced by Rs. 30,500 (widespread demand for the abolition of unpopular tobacco tax).

This amount, Sir, viz., Rs. 30,500 represents the entire demand made for the administration of the tobacco tax. I feel I have some privilege to move a motion like this, as I come from a district which grows tobacco in large quantities, I mean the district of Rangpur. This Tobacco Licensing Tax takes us back to the days of the Round Table Conferences, when the representatives of the Bengal Government pressed the Government of India for a share of the jute tax, and the Government of India asked the Government of Bengal to exhaust all its resources so that it might receive more than 50 per cent. of the Jute Export Duty. Unfortunately, the Government of Bengal to comply with this direction of the Government of India taxed tobacco, which is said to be the poor man's solace. This tax is considered to be one of the most obnoxious taxes in Bengal, because it touches the pockets of poor men. Agriculturists work very hard in the summer as well as in the rainy season, and when their lives become intolerable they take one pull at the hookah in order to settle and soothe their spirits. This solace is also denied to him when he goes to a shopkeeper to buy his tobacco because the shopkeeper demands more than the usual price as he has to take out a licence for selling tobacco. I consider Sir, it is a sheer cruelty to tax the poor men like the agriculturists of Bengal, to whom the only comfort in life is the comfort of smoking. No doubt, these agriculturists pay other kinds of taxes on their necessities of life, such as the salt tax, the kerosene tax, and taxes on other necessities, including that on match boxes. But these taxes are collected at the source; therefore, he pays those taxes practically unconsciously, but, here, this tobacco tax is a direct tax, and it directly touches his pocket

and his spirit rebels when he thinks that the only thing of comfort to him, viz., tobacco, is also being taxed. I submit that if the House votes for my motion, Government will not lose much; for, from the entire country Government collects Rs. 3,50,000 only. Out of this sum more than Rs. 30,000 is spent as expenses for retaining the department. Therefore, Government will lose only a sum of near about Rs. 3 lakhs. If Government sacrifice this small sum, it will not lose very much, but at the same time it will get an opportunity of making itself popular. "Do away with the tobacco tax" was the slogan during the election campaign of many of us, and especially of those gentlemen who had got hookah as their symbols. They had to carry on a propaganda that they would do away with this tobacco tax at once. This hookah, Sir, so far as I remember, was the symbol of our Premier in his Patuakhali battle-field. Therefore, it is expected that the Premier at this time will make at least some effort to do away with the tobacco tax. I know, Sir, that the exporters of foreign tobacco, cigars, and cigarettes will not like this idea. I also know, Sir, that the rich people of Bengal who spend hundreds of rupees per month for smoking will not tax their brains for a few annas or for a few pice which the agriculturists are to pay for buying his tobacco. Therefore, I appeal to the representatives of the agriculturists, who came here directly by the vote of the agriculturists, to accept this motion to do away with this obnoxious tax. Up to this time, Sir, we have done practically nothing in this House for the agriculturists. Whatever we did, we did for our benefit only. We passed our Ministers' Salaries Bill; we passed our President's and Speaker's Salary Bill; and we passed our Members' Emoluments Bill, but directly for our agriculturists we have done nothing up till now. I confess, Sir, that hope of lightening the burden of taxation on the agriculturists practically lured me to join the Krishak Proja Party. But one month's experience in this House tells me that I had better call myself a member of the Nikhil Banga Loot Pat Samiti. Sir, our Chief Minister a few days back promised us that cart loads of goals will be scored against his adversaries. I confess, Sir, he has scored some goals, but I may remind him that he has scored no goals for his electors. I would appeal to him to remember that at Patuakhali he had to make this promise that he would do away with this tobacco tax. Now, if he cares a little for the poor agriculturists, he ought to help this House and the Cabinet to do away with this tax now and here. Then, I think that will do a great deal for his constituency.

Now, Sir, no doubt the agriculturists are not touched by this tax but the tobacco is grown in a small part of Bengal, and in the greater part of Bengal they are all buyers and not growers. Therefore I appeal to the House through you most earnestly that this motion of mine may be accepted so that tobacco tax may be repealed from this time.

Tobacco tax was imposed when Bengal was under a severe distress due to financial crisis and it was introduced as an emergent measure. We expected, Sir, that with the recovery from financial distress this tax will go. But I found from the speech of the Hon'ble Finance Minister which he delivered at the time of introducing the budget that there was no indication of taking away the tax from the shoulder of the poor people. On the other hand, there was a mild threat to the effect that this tax would be renewed. I appeal to the House to see that this tax may not be renewed again, but at the same time it may be repealed now and here. With these words I recommend my motion to the acceptance of the House.

**Kazi EMDADUL HAQUE:** I rise to give my whole-hearted support to the motion moved by my friend Maulvi Abu Hossain Sarkar. Of all kinds of measures that were brought in, in 1935 this tobacco tax was the most unwelcome measure, because it directly affects the poor people in the mufasssil. Of course, apparently there is some exemption in the case of growers, but in actual operation of the Act we find that the growers as well as the sellers are harassed as a result of this measure. It is laid down in the Act that a man who sells more than 20 seers of tobacco leaves or keeps a stock thereof is a wholesale seller: so also in the case of retail sellers there is a specific amount laid down. Now, Sir, in actual operation we find that the growers cannot take their tobacco leaves to the market for sale because as soon as they go to the market they are caught hold of by the excise constables and they ask for license. And when the growers tell them that they are growers, the constables ask for proof and thus they are harassed and cannot avoid the payment of some salami to the constables. The local officers are also against them and the growers are asked to sell their tobacco outside the market as if they have their own market. These poor people cannot make a market of their own. It is apparent that these growers are not allowed to sell their tobacco in the market simply with a view to patronise the licensees, (who have taken out tobacco license): and this means a great hardship to the growers.

Then there are some landless people who are in a much worse position than the cultivators themselves. Some of the cultivators may have lost their landed property or holding for not being able to pay off debt to their mahajans or for other reasons and have become landless tenants. These persons may make their living by preparing *biris* and tobacco. They have lost their holding and may have taken up as an alternative this *biri*-making profession. Men like them are surely hard hit by this tobacco tax, because as soon as they take up this profession they will at once be regarded either as wholesale or retail sellers and so they cannot avoid the payment of this tax. In this way these poor people

are also hard hit by the provision. It is, therefore, necessary that this Act should go—

(Here the member having reached the time-limit, resumed his seat.)

**Maulvi MD. MOZAMMEL HAQ:** Spoke in Bengali.

**Mr. PRAMATHA NATH BANERJEE:** I rise to support the cut motion of my friend Mr. Abu Hossain Sarkar and while doing so I am very pleased to hear that hookka was the symbol of the Hon'ble the Chief Minister. I was not present at Patuakhali and I cannot say what pledges the Chief Minister, then trembling in the midst of his election fight, gave to his constituents. If he had that wonderful symbol, then I might with reason conclude that he has smoked away those pledges. I heard just now the speech of my poet friend Mr. Mozammel Haq: poets do not always rely upon facts and when my friend referred to this section of the House with whose concurrence the past Government was supposed to have passed the obnoxious tobacco tax, he probably forgot that the Congress was then nowhere near the scene. The Congress might have filled the canvas of his imagination.

The second point which my friend took was that the present Government could not possibly be held guilty of the sins of its predecessors. There again my friend probably did not read the white paper of the Hon'ble Finance Minister in which he said specifically that the five taxes imposed upon the people of Bengal in 1935 would be reimposed by the present Government and the tobacco tax is one of the brotherly five. The origin of this tax is obscure. In 1935 Sir John Woodhead wanted to prove himself as a member of the Government of Bengal to be good a boy. The Niemeyer Committee had just been appointed and Bengal was most anxious to have a share in the Jute Export Duty as well as in the income-tax, and therefore Bengal put up a note not only to show that it had made retrenchments to the extent of Rs. 77 lakhs, but that it had imposed additional taxation to the extent of Rs. 30 lakhs. Within these 30 lakhs was included the tobacco tax. That decision had also an ulterior motive, because Sir John Woodhead was then most anxious to effect a restoration of the cut in the salaries of all Government officers—a restoration which was to have cost a bankrupt Government only an annual recurring liability of Rs. 17½ lakhs. The tobacco tax yielded only Rs. 3,30,000 last year. It is expected to yield only Rs. 3,50,000 this year and the expenditure on account of the collection of tobacco tax has been set down at Rs. 30,000. I do not know whether the expenditure on account of the collection of the tobacco tax is included in the expenditure on account of collections of the Excise Department. I find the expenditure on Mr. Tobacco has been

transferred from one head to another and whenever there is a transfer of heads I always feel a little suspicious and doubtful.

Upon the virtues of tobacco I do not think I need dilate much. On Saturday morning I canonized opium and hemp and sang of country liquor. This afternoon I do not propose to imitate my friend Mr. Mozammel Haq in dilating upon the great virtues of tobacco. Its virtues are quite well-known to those of us who are regular chimneys. Well, Sir, this is a commodity which knows no distinction of race, caste, creed or colour and I do with the utmost sincerity support the cut motion for the abolition of the tobacco tax. I notice that the Honourable Finance Minister has just come back. If he, in his plentitude of bounty had given us an assurance not to smoke away the amount, if my friend the Honourable the Chief Minister had not had the hukka as his symbol, then our task might have been lightened. This is a matter on which we ought to divide. This is a tax which the Hon'ble Finance Minister should not look forward to getting next year.

At this stage the House was adjourned for 15 minutes.

(After adjournment.)

**MR. SPEAKER:** I may just announce at this stage that in modification of our previous programme the Home Department have sent us a communication that the House will sit on the 8th, 9th, 10th, 11th, 13th, 14th, 15th, 16th, 20th, 21st, 22nd and 23rd and non-official Bills will be taken up on the 15th and 16th and not on the 21st and 22nd as announced before. Non-official resolutions will be taken up on the 8th and 9th. The House will sit at 4-45 p.m. daily on the 13th, 14th, 15th, 16th, 20th and 23rd instead of at 3-45 p.m. except on the 10th and 11th when the House will sit at 4-30 p.m. and 10-30 a.m., respectively. A formal letter will be sent to all the members in the usual course.

**THE HON'BLE SRI BIJOY PRASAD SINGH ROY:** Mr. Speaker, Sir, I do not propose to go into the merits of the tobacco tax and I will neither try to justify the tax nor admit that it should be abolished; but I will submit this much that it is not a tax on tobacco but a license tax for selling tobacco. Those who said that it is operating very harshly on agriculturists were not quite correct. Sir, the tax expires automatically in August, 1938, the life of the Act being three years, and both Government and the House will have ample opportunity of considering whether the tax should be renewed or not during the next budget session. As a matter of fact, Government are at present busy collecting figures from different districts regarding the effect of the tax on the value of tobacco and on the consumption of tobacco. So it is rather early for Government to come to a decision one way or

the other, but this being a taxation measure Government are in a position to announce that they will be guided solely by the wishes of the House and if the House is inclined to the view that the tax should not be renewed, Government will make no effort to keep the Act on the Statute Book and they will go by the wishes of the House. The Act expires in August, 1938, and during the next budget session the House will have ample opportunity of deciding on the facts that Government propose to place before it as to whether the Act should be renewed or not. With these few words I would request the Hon'ble mover to withdraw his motion.

**Mr. SARAT CHANDRA POSE:** Mr. Speaker, may I ask for information on one or two points from the Hon'ble Minister who just sat down? What else can the Government do in a matter of this nature except to abide by the decision of the House? What is the concession he is making I am not able to understand.

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Government are no doubt bound to obey the wishes of the House, but if it is clear to Government that the majority of the House do not wish the Act to be renewed, Government will not even make a proposal for its continuance.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, ever since I assumed office I have heard remarks from my friends on my left as regards election pledges and the manner in which I have broken those pledges and gone back on solemn promises made at the time of the election. May I, Sir, on this the last day of the budget discussion make one or two friendly observations in order to quicken the memory of my friends of the Congress and their supporters like Mr. Abu Hossain Sarkar and others? I am doing so, Sir, in a spirit of humility and subject to correction if I am making any mistakes. I quite realise, Sir, that my friends of the Congress and their allies like Mr. Abu Hossain Sarkar have been smarting under a sense of defeats they have received at the hands of the Coalition and it is not surprising that they should indulge in one or two sarcastic remarks in order to have some consolation at least from the remarks, however irrelevant and unjustified they may be. At the time of the election the Congress gave a solemn pledge in their manifesto that they are going to wreck the constitution. (Dr. Nalinaksha Sanyal: Read it again.) May that day never come when I shall have to look to Dr. Sanyal for inspiration to read an English document. I have read the election manifesto through and through; to wreck the constitution was the Congress motto but they have now taken the oath of allegiance and have accepted office and they are enjoying the sweets of power, and even Mahatma Gandhi

has found something good in this much maligned constitution. (A Voice: What about the resolution regarding constituent assembly?) That was after the election. If the Congress can change their attitude after the election, the Coalition group are also entitled to change their attitude after the election.

Now, Sir, I am submitting this only in a friendly spirit; I am only pointing out that even Congress Ministers who are supposed to be free from any blemish or fault, who are ideal administrators, have had to modify their election pledges a little in order to suit the requirements of the time; but so far as I am concerned I do not admit that I have broken my election pledges.

Now, Sir, coming to the point at issue, tobacco tax, it is true that my symbol at the time of the election at Patuakhali was the "Hookah" and my symbol at the other constituency was the "Plough". I wanted the "Plough" at Patuakhali also but the chance of the lottery threw the "Hookah" on me and I did make the very best use of that symbol in order to carry on the campaign against my rival. Now, Sir, I did say that the tobacco tax weighed very heavily on the cultivators and ought to be abolished. I am prepared to admit that I did give a pledge to my constituency at Patuakhali that I shall do my very best to have the Act repealed. That being the position I have explained, as regards the Coalition group, that so far as this Act is concerned I am personally very strongly of opinion that it should not be renewed and that it should be allowed to die a natural death. As regards the question of repeal, my friend Mr. Abu Hossain Sarkar, who is a lawyer of repute, must understand that one Act can only be repealed by another repealing Act.

If it is the desire of the House that the Act should be repealed before its time, it can be done by a repealing Act and Government will not certainly oppose its introduction. It will be considered on the merits in the House and my friend, the Minister for Revenue, has said that if it is the wish of the majority of the House, Government will not oppose the repeal of the Act. Sir, I think so far as this particular motion is concerned, there is no difference between Mr. Abu Hossain Sarkar and myself, because we are both agreed that this tobacco tax does cause hardship to the cultivators. Whether it does so or not, that is the opinion he holds and that is the opinion I am prepared to endorse. Then we both are agreed that it should go. It may be allowed to die a natural death or, if it is to be repealed, it must be done by a repealing Act and it is open to any member of the House to bring in a repealing Act. So far as we are concerned, we leave it to the discretion of the House and for this reason: this Act was introduced, as has been pointed out by Mr. Pramatha Nath Banerji, in order to raise money to enable Government to forego the salary cut. Now, Sir, as we understand the situation, if the tax has got to go, then

a salary cut or some such cut of that kind will have to be imposed and Government will have to survey the whole situation. If it is your desire that this Act should go, then I think we will have to consider other ways and means of raising revenue and one of it will be to impose a salary cut. If it is the desire of the House that we will proceed in that direction, in whatever way you desire to proceed, we will be prepared to accept your decision. That being the position, I submit that my friend, Mr. Abu Hossain Sarkar, will at least on the last day of the budget debate agree to withdraw his motion because the motion is—

**Mr. KIRON SANKAR ROY:** Propose for another Round Table Conference.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** That is another method. As I was saying, the motion is for the abolition of the unpopular tobacco tax because it is a widespread demand. I agree that it is "widespread". I agree that it is a "demand". I agree that it is "because" and I agree that "it is unpopular"; but where is the point? There is no question before the House of repealing the Act. (Dr. J. M. Das (Govt): to strengthen your hands.) My hands are strong enough. The object of this cut motion is to draw attention to the widespread demand for the abolition of the tax. Attention has been drawn to the fact that it is unpopular, that it is a widespread demand; we admit it. If you want a Division, you will have it.

**Mr. SARAT CHANDRA BOSE:** Sir, may I have a few minutes to reply to the Chief Minister's remarks?

**Mr. SPEAKER:** I have already closed the debate and I am sorry I cannot allow you to speak at this stage. I will, however, permit you to raise this point later on.

It seems that the amendment of Mr. Abu Hossain Sarkar is irregular, as it says that the demand be reduced by Rs. 30,500 which is the sum provided for the establishment for the realisation of the tobacco tax. Has Mr. Sarkar any objection to the motion being amended as follows:—

"That the demand be reduced by Rs. 100, to raise a discussion for the abolition of the unpopular tobacco tax as it is a widespread demand."

**Mr. ABU HOSSAIN SARKAR:** I have no objection to the motion being amended as proposed by you, Sir.

The motion being put in the amended form and a division was taken with the following result:—

## AYES.

Abdul Hakim, Maulvi.  
Abdul Majid, Maulvi.  
Abdul Wahed, Maulvi.  
Aou Hossain, Sarkar, Maulvi.  
Abul Fazal, Mr. Md.  
Ahmed Khan, Mr. Cyed.  
Asimuddin Ahmed, M.P.  
Banerjee, Mr. P.  
Banerjee, Mr. Pramatha Nath.  
Banerjee, Mr. Sibnath.  
Banerji, Mr. Satya Priya.  
Bannerjee, Mr. Manoranjan.  
Barma, Mr. Puspajit.  
Basu, Mr. Santosh Kumar.  
Bhawmik, Dr. Gobinda Chandra.  
Biswas, Mr. Rasik Lal.  
Biswas, Mr. Surendra Nath.  
Bose, Mr. Sarat Chandra.  
Chakrabarty, Babu Narendra Naray.  
Chattopadhyay, Babu Haripada.  
Das, Babu Mahim Chanda.  
Das, Bibhu Radhanath.  
Das Gupta, Babu Khagendra Nath.  
Das Gupta, Dr. J. M.  
Das Gupta, Mr. Narendra Nath.  
Datta, Mr. Chirendra Nath.  
Dutta Gupta, Miss. Mira.  
Dutta Mazumdar, Mr. Niharendu.  
Emdadul Haque, Kazi.  
Ghose, Mr. Atul Krishna.  
Giasuddin Ahmed, Mr.  
Gupta, Mr. Jogesh Chandra.  
Hasan Ali Chowdhury, Mr. Syed.  
Jalaluddin Hashomy, Mr. Syed.

Jonab Ali Majumdar, Maulvi.  
Khan, Mr. Debendra Lal.  
Kumar, Mr. Atul Chandra.  
Kundu, Mr. Nishitha Nath.  
Maiti, Mr. Nikunja Bohari.  
Maitra, Mr. Surendra Mohan.  
Maji, Adwaita Kumar.  
Majumdar, Mrs. Hem-prova.  
Mazumdar, Mr. Birendra Nath.  
Mandal, Mr. J. gondra Nath.  
Manjuzzaman Islamabadi, Maulana Md.  
Majbul Hossain, Mr.  
Mukherjee, Mr. B.  
Mukherji, Dr. Sharat Chandra.  
Mullick, Srijut Ashutosh.  
Pain, Mr. Sarada Prasanna.  
Pramanik, Mr. Tarlnisharan.  
Ramizuddin Ahmed, Mr.  
Roy, Babu Patiram.  
Roy, Mr. Charu Chandra.  
Roy, Mr. Kamal Krishna.  
Roy, Mr. Kiran Sankar.  
Roy, Mr. Kishori Pati.  
Roy, Mr. Manmatha Nath.  
Sanyal, Dr. Nalinaksha.  
Sarkar, Babu Madhusudan.  
Sen, Babu Nagendra Nath.  
Shahedali, Mr.  
Shamsuddin Ahmed, Mr. M.  
Sinha, Srijut Manindra Bhushan.  
Sur, Mr. Harendra Kumar.  
Thakur, Mr. Pramatha Ranjan.  
Zaman, Mr. A. M. A.

## NOES.

Abdul Bari, Maulvi.  
Abdul Hafeez, Khan Bahadur Syed.  
Abdul Haq, Mr. Mirza.  
Abdul Hakim Vikramপুরi, Mr. Md.  
Abdul Hamid, Mr. A. M.  
Abdul Hamid Shah, Maulvi.  
Abdul Jabbar Palwan, Mr. Md.  
Abdul Kader, Mr.  
Abdul Latif Biswas, Maulvi.  
Abdul Majid, Mr. Cyed.  
Abdul Wahab Khan, Mr.  
Abdur Rahman, Khan Bahadur A. F. M.  
Abdur Rahmar Siddiqi, Mr.  
Abdur Rashood, Maulvi Md.  
Abdur Razi, Khan Sahib Maulvi S.  
Abdur Razi, Mr. S. J.  
Abdur Razzak, Maulvi.  
Abdul Shabood, Maulvi Md.  
Abdur Reza Chowdhury, Khan Bahadur.  
Abul Hasbim, Maulvi.  
Abul Hossain, Mr. Ahmed.  
Abul Quasem, Maulvi.  
Atiab Hossain Joarder, Maulvi.

Ahmed Ali, Khan Sahib Maulana Enayathullah.  
Ahmed Ali Hridha, Maulvi.  
Ahmed Hossain, Mr.  
Alfazuddin Ahmed, Khan Bahadur.  
Aminullah Maulvi.  
Amir Ali, Md. Mia.  
Armstrong, Mr. W. L.  
Ashrafali, Mr. M.  
Aulad Hossain Khan, Maulvi.  
Bennet, Mr. M. C.  
Borat Ali, Mr. Md.  
Barma, Babu Premhar.  
Basu, Babu Jatinendra Nath.  
Biswas, Babu Lakshmi Narayana.  
Brazhet, Mr. F. C.  
Cagge, Mr. Sir George, Kt.  
Chippendale, Mr. J. W.  
Clark, Mr. I. A.  
Cooper, Mr. G. G.  
Crosfield, Mr. L. M.  
Das, Mr. Anukul Chandra.  
Das, Mr. Kirit Bhusha.  
Das, Babu Debendra Nath.

Farhad Raza Chowdhury, Mr. M.  
 Farhat Bano Khanam, Begum.  
 Fazlul Haq, the Hon'ble Mr. A. K.  
 Fazlul Quadir, Khan Bahadur Maulvi.  
 Fawaz Rahman Muktaz, Mr.  
 Gammeter, Mr. E. O.  
 Ghaseuddin Ahmed Chowdhury, Mr.  
 Golam Sarwar Hossain, Mr. Shah Syed.  
 Gomes, Mr. S. A.  
 Griffiths, Mr. O.  
 Habibullah, the Hon'ble Nawab Bahadur K., of  
 Dacca.  
 HaRzuddin Chowdhury, Maulvi.  
 Hameeduddin Ahmed, Khan Sahib.  
 Hasanuzzaman, Maulvi Md.  
 Hasbom Ali Khan, Khan Bahadur.  
 Hasina Mursheed, Mrs.  
 Haywood, Mr. Rogers.  
 Hendry, Mr. David.  
 Idris Ahmed Mia, Mr.  
 Jasmuddin Ahmed, Mr.  
 Kazem Ali Mifta, Sahibzada Kawan Jah Syed.  
 Khatun, Mr. Dobi Prasad.  
 MaRzuddin Ahmed, Dr.  
 MaRzuddin Chowdhury, Maulvi.  
 Mahtab, Maharakumar Uday Chand.  
 Mahtabuddin Ahmed, Khan Bahadur.  
 Mandal, Mr. Birat Chandra.  
 Mandal, Mr. Jagat Chandra.  
 Millar, Mr. G.  
 Milne-Robertson, Mr. C.E. L.  
 Mohela Ali, Mr. Md.  
 Morgan, Mr. G., C.E.  
 Moleson Ali Moliah, Maulvi.  
 Mozammel Haq, Maulvi Md.  
 Muhammad Afzal, Khan Sahib Maulvi Syed.  
 Mohammed Ali, Khan Bahadur.  
 Muhammad Ibrahim, Maulvi.  
 Muhammad Israeli, Maulvi.  
 Muhammad Siddique, Dr. Syed.

Muhammad Seligman, Mr.  
 Mukhopji, Dr. M. S.  
 Mujib, the Hon'ble Md. Nephanda Bhary.  
 Mullaik, Mr. Palla Behary.  
 Muscharruf Hossain, the Hon'ble Nawab, Khan  
 Bahadur.  
 Mustagawal Haque, Mr. Syed.  
 Mustafa Ali Dawan Sahib, Mr.  
 Nandy, the Hon'ble Maharaja Sri Chandra, of  
 Kasimbazar.  
 Nasamjish, Nawabzadeh K.  
 Nausher Ali, the Hon'ble Maulvi Syed.  
 Nazimuddin, the Hon'ble Khwaja Sir, K.O.I.E.  
 Nimpe, Mr. T. S. S.  
 Nooruddin, Mr. K.  
 Rahman, Khan Bahadur, A.M. L.  
 Raikat, the Hon'ble Mr. Prasanna Deb.  
 Rajibuddin Tarafdar, Maulvi.  
 Ray Chowdhury, Mr. Birendra Kishore.  
 Roy, the Hon'ble Sir Bijoy Prasad Singh, Kt  
 Roy, Rai Bahadur Kshirod Chandra.  
 Sadaruddin Ahmed, Mr.  
 Safruddin Ahmed, Haji.  
 Salim, Mr. S. K.  
 Sannullah, Al-Haj Maulana Dr.  
 Sarker, the Hon'ble Mr. Nalini Ranjan.  
 Sassoon, Mr. R. M.  
 Sen, Rai Bahadur Jagdish Chandra.  
 Sarajul Islam, Mr.  
 Shahabuddin, Mr. Khwaja.  
 Shamsuddin Ahmed Khondkar, Mr.  
 Shamul Huda, Maulana.  
 Shingha, Babu Khyola Nath.  
 Shur, Babu Little Panda.  
 Suhrawardy, the Hon'ble Mr. H. S.  
 Tapugiah, Rai Bahadur Moongth Lall.  
 Tofel Ahmed Chowdhury, Maulvi Haji.  
 Waliur Rahman, Maulvi.  
 West, Mrs. Ellen.

The Ayes being 67, and the Noes being 122 the motion was lost.

The motion of the Hon'ble Sir Bijoy Prasad Singh Roy that a sum of Rs. 43,000 be granted for expenditure under the head "13—Other taxes and duties" was then put and agreed to.

**Mr. SPEAKER:** I propose now that the following four demands may be moved one after another, and then I will ask the Hon'ble the Commerce and Labour Minister to reply to the motions regarding the subjects. The demands are—

"57—Miscellaneous"; "56—Stationery and Printing and Depreciation Reserve Fund—Government Presses", "30—Ports and Pilotage"; and "47—Miscellaneous Departments".

#### 57—Miscellaneous.

**MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker):** Sir, on the recommendation of

His Excellency the Governor, I beg to move that a sum of Rs. 27,07,000 be granted for expenditure under the head "57—Miscellaneous."

*56—Stationery and Printing and Depreciation Reserve Fund—Government Presses.*

**The Hon'ble Mr. NALINI RANJAN SARKER:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 22,63,000 be granted for expenditure under the head "56—Stationery and Printing and Depreciation Reserve Fund—Government Presses."

*30—Ports and Pilotage.*

**The Hon'ble Mr. H. S. SUHRAWARDY:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 3,85,000 be granted for expenditure under the head "30—Ports and Pilotage".

*47—Miscellaneous Departments.*

**The Hon'ble Mr. H. S. SUHRAWARDY:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 5,01,000 be granted for expenditure under the head "47—Miscellaneous Departments".

Honourable members will note that the Miscellaneous Departments refer to the Factories Department, the Steam Boilers Department, the Electrical Inspector's Department, Provincial statistics, Preservation and translation of Ancient Manuscripts, Examinations, Administration of the Indian Partnership Act, 1932, and other miscellaneous departments like the Smoke Nuisances Commission, Contributions to the Imperial Library, Administration of the Trade Disputes Act, and Charges in England, as well as Gazetteer and Statistical Memoirs.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Mr. Speaker, Sir, I move that the demand for Rs. 27,07,000 under the head "57—Miscellaneous" be reduced by Rs. 100 (to discuss the policy of Government with respect to labour organizations and to enable the House to discuss problems of labourers' security of service, health and unemployment insurance, maternity benefits, annual holidays with pay and other subjects of vital interest to the working-class).

I propose, Sir, to draw the attention of this House to these important questions for two reasons. On the one hand, it is well known that conditions of Labour in this country are miserable and have drawn the attention of all sections of public opinion in the world, and they have

been a subject of public calumny against India on more than one occasion. It is fresh in our memory yet how the whole of India was indignant at the picture of India depicted by the notorious American woman, whose name is well known in every part of the world and whose report was characterized by Mahatma Gandhi as the Drain Inspectress's report. I refer, Sir, to the book by that notorious American lady, Miss Mayo. The conditions depicted there, Sir, although presented in a distorted perspective, were the conditions which are prevailing in our mill areas, conditions which are prevailing in our villages and peasants' homes, conditions which are the direct outcome of the filth, misery and poverty in which our workers and peasants are condemned to live. It is also very well known that not so very long ago two representatives of the British Trade Union movement, Messrs. Holdsworth and Purcell, were deputed to India to study the conditions of labour. And what were the findings of these two eminent British trade unionists? They summed up the whole condition of labour by saying that Indian workers were ill-fed, half-clad, and horribly housed. These findings of the two eminent British trade unionists were arrived at after a careful tour of inspection of all the mill areas in India, particularly the mill areas on both sides of the river Hooghly. I think, Sir, that after this declaration about the conditions of Indian labour from these two eminent British trade unionists, much respected by all sections and all parties in the British House of Commons, and the public generally, comment at length is useless to bring home to the public and to the members of this House the necessity of immediate and urgent improvement in the conditions of labour.

Then, Sir, the recommendations of the Whitley Commission, which have remained unfulfilled, also drew attention to many of the demands which are enumerated in my motion with regard to labour welfare. I do not wish to tire this House with very many details and with drawing a dismal picture of the lives of these workers and of the conditions under which they are constrained to live. Any visitor to the mill areas will be convinced at a glance of the contrast of the two pictures that he will see side by side. Any visitor can see before him the two pictures—on one side the living quarters and the residential areas of the *burra sahibs*, mill managers, and probably owners of the mills. One will see their palatial buildings on the right bank of the river, and on the other side, shut up from light and air, the hovels of the workers, the workers' *bustees*. Sir, in every part of the civilized world the existence of workers' hovels on both sides of the same wall—the double-line system—has been condemned. Any traveller passing through these parts viz., Kankinarah, Jagatdal, Hajinagar, Sankrail, Howrah, and Hooghly, in fact all the mill areas in which the workers live, will see that the system of double-line is still in vogue. And not only that, Sir, water supply in these areas is also scarce, the sanitary conditions are abominable, and it is no wonder that the standard of

the health and the efficiency of our workers, in spite of the hardest toil that they do, is forced down by the abominable conditions in which they are doomed to live and this condition is being further aggravated by the fact that in this country, particularly in Bengal with which we are directly concerned, there has never been a healthy and humane outlook or policy on the part of the Government towards labour questions.

With regard to the organisation of labour that absence of policy was noted even by the present Labour Minister, the Hon'ble Mr. Suhrawardy, when he spoke in this very hall in 1934 on the occasion of the dock strike. I shall here cite the utterances which Mr. Suhrawardy at that time made: "Unfortunately in the absence of a proper well defined policy on the part of Government for the welfare of labour, the police are compelled to resort to all the means in their power to break strikes and help employers however rapacious and help strike-breakers however, stupid and foolish and wicked." Mr. Suhrawardy in 1934 condemned this state of affairs and ascribed it to an absence of policy on the part of the Government. But what has been the change since under the new Constitution this new Government came to power with the Hon'ble Mr. Suhrawardy as the Labour Minister? We find that the systematic policy of this Government and of the Hon'ble Mr. Suhrawardy has been to encourage the same state of things which Mr. Suhrawardy condemned previously. The police have all the means in their power to break the strikes and help employers however rapacious and help strike-breakers however stupid and foolish and wicked: that is their policy in order to break the trade union movement.

We can also with profit look back to the cardinal point of Mr. Suhrawardy's principle which he formulated not in this House and not in the year 1937 but what he formulated in the year 1934. Mr. Suhrawardy declared that policy, I suppose, to earn the confidence of his imperialist master, to earn the confidence of the representatives of the Jute Mills' Association and others whose utterance Mr. Suhrawardy was echoing only very recently. "If there is one public enemy that must be destroyed, one evil that must not be permitted to corrupt our social structure, one evil influence from which the labourer should be kept immune, it is communism. I have no first hand knowledge of it, but I can claim close association with some who have, and their views and their recital of what communism has done." We do not know who those associates of Mr. Suhrawardy are from whom Mr. Suhrawardy draws his inspiration and knowledge about communism. Mr. Suhrawardy declares communism as a public enemy in India and Mr. Suhrawardy is shocked at the state of affairs which he visualises will prevail by the import of communism in this country. All the observations of the Whitley Commission and all the abominable conditions under which the Indian labourers are doomed to live do

not shock Mr. Suhrawardy's susceptibilities, those conditions do not rouse Mr. Suhrawardy's conscience, but these are precisely the conditions which are the public enemy to be fought, combated and removed so that our workers may have a healthy and peaceful life.

Let us see what is the active policy that is being pursued with regard to trade union and trade union movement since this Government came to power i.e., during Mr. Suhrawardy's regime. With your permission, Sir, I shall read out certain portions of a letter and ask Mr. Suhrawardy to say whether he is altogether ignorant of the source from which this letter emanates and whether he is altogether innocent of any knowledge of what it contains. This letter is addressed by a certain gentlemen to a jute mill manager at Titaghur and Mr. Suhrawardy may proclaim his ignorance of the particular gentleman who has written this letter. The letter says "... Mr. Lutafat Hossein saw you... I am really very thankful to you for the encouragement you have been pleased to extend." Mr. Lutafat Hossein as is well known was a candidate for election to this House but was defeated by about 42,000 votes in the Barrackpur Labour Constituency. That is the gentleman chosen to represent the interest of labour and deputed as the proper person to make this representation to the jute manager. It proceeds "Co-operation shall lead us ahead and we shall in no time be able to finish the communistic influence in the mill areas. If you, line Sahibs, Babus and the Sardars, instead of obstructing the way to the progress of their own Union, try to enlist members and to get more workers attached to the independent union under their own officers and executive we can very soon find the red flag nowhere in the mill area."

It proceeds on and on and I shall not give many more details out of this letter. I shall conclude by saying that this letter at the end says "I hope that you would please help the workers to enlist more members and to show how the genuine Labour Union should work. I assure you that I would try my humble best to educate the workers to be more energetic and more charming workers."

I find a very welcome smile on Mr. Suhrawardy's face and the whole picture is now clear as daylight before him, Mr. Shafatullah Khan. I will read out the signature at the end of this letter. He might be a close associate coadjutor and personal friend of the Hon'ble Minister. Let him deny this. This is the kind of work which is being actively pursued and done with regard to labour organisations to-day.

Coming now to the actual grant we find that three things are there. In the first place the Hon'ble Labour Minister's salary along with the salaries of other Ministers have already been passed, namely, at the rate of Rs. 2,500 per month and since that salary was passed we know, and it has been brought to the notice of this House, what has been the fate of the poor workers, earning Rs. 2-8 per week who are losing their jobs and whose bread is being snatched away from their mouth in order

to terrorise and victimise them so that they may not join their Unions and may not have the courage to stand under the red flag. And in the so-called *Mazdoor Gazette* the Hon'ble Labour Minister spoke about the red flag being thrown into the Ganges and floating across the seven seas. We have heard the same thing from the Hon'ble Minister in 1934 when 14,000 labourers took their stand holding the red flag aloft and may I remind the House that when 3,00,000 jute workers were holding the red flag nothing was seen floating across the seven seas. It is the Ministry with the record of broken pledges and not the workers' red flag which will be thrown into the Ganges and rest floating across the seven seas. The Hon'ble Mr. A. K. Fazlul Huq once said that he would smash the Writers' Buildings and throw it into the Laldighi.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I do not think that Writers Buildings will be crushed and thrown into the Laldighi.

**Mr. NIHARENDU DUTTA MAJUMDAR:** Yes, In the words of the Chief Minister it will not be the Writers' Buildings which will be crushed and thrown into the Laldighi: it is the Minister with the record of broken pledges. It is the Minister who has smoked away his pledges that will have to meet that fate. The significant fact is this: Along with the salary of the Minister two grants are asked for Rs. 17,500 for organising the Labour Minister's Department and Rs. 10,000 for doing welfare work. For the disbursement of Rs. 10,000 we have to vote Rs. 17,500 for setting up a Department of Labour under the Labour Minister who draws Rs. 2,500 a month. Will it be wrong to infer that the hooligans and the gangsters who are familiar with the methods of oppression are precisely the people and precisely the organisation who are going to be subsidised by this Rs. 10,000 as the beneficiaries of this Government's "labour and welfare work"?

(The member, having reached the time-limit resumed his seat.)

**Maulvi ABDUL WAHAB KHAN:** Will Mr. Dutta Majumdar tell us who is Shafautullah Khan and what connection he has with the Labour Minister?

**Mr. SPEAKER:** We are not concerned with Shafautulla Khan. I think it would be convenient in view of the importance of the matter under discussion if I give an opportunity to one other Labour member to move his motion. I ask Mr. Aftab Ali to move his motion; after that I will ask Mr. Suhrawardy to reply; then there will be an open debate and the Hon'ble Minister may give a reply to some of the points that may be raised, if he so desires.

**Mr. AFTAB ALI:** I beg to move that the demand of Rs. 5,01,000 for expenditure under the head "47—Miscellaneous Department" be reduced by Rs. 100 to raise a discussion on the administration of the Trade Disputes Act.

I first propose to discuss the Trade Disputes Act. At the outset I would like to draw the attention of the House that in this year's budget no money has been provided for the administration of the Trade Disputes Act although in the last year's budget there was a sum of Rs. 2,000 for the same purpose. The Trade Disputes Act, it is needless for me to add, was brought into existence for the purpose of settling trade disputes arising between the employers and employees. Sir, we are having industrial unrest; we are having strikes and this Act was meant for one purpose and one purpose alone and that is for the settlement of such trade disputes by the use of this Act. Recently there was an occasion during the last jute strike in which this law could have been profitably enforced and we could have known, this House could have known, whether the Jute Mills' Association was in the right or the Mazdur Chatkal Union was in the right. But the Labour Minister, for reasons best known to him, did not like to act or take action under this legislation, and it was announced in the press that he first decided to appoint a Board of Conciliation but changed his mind afterwards. I maintain, Sir, that by not appointing the Board of Conciliation or the Board of Enquiry, or in other words, by not taking any action under the law of this country for settling such disputes, the Labour Minister has played very clearly into the hands of Clive Street or of my friends to my left—

**Mr. SPEAKER:** You may refer to Clive Street but you cannot refer to your friends to the left.

**Mr. AFTAB ALI:** All right, Sir. But the House know quite well what the Clive Street means. While pointing out the absence of any money for this, am I to say or are we to understand that Government have definitely come to the conclusion that they do not propose to take any action under the Trade Disputes Act? Are we to understand that so far as the Government of Bengal are concerned the Trade Disputes Act is a dead letter? Are we to understand, Sir, that the industrial strikes are to come and they are to be suppressed by brutal force? I cannot, Sir, infer any other thing in the absence of any sum under this head save and except that Government have definitely decided not to take any action under the Trade Disputes Act.

In this connection may I, Sir, move another cut motion?

**Mr. SPEAKER:** I am afraid you cannot do so now.

**Mr. AFTAB ALI:** So much for the Trade Disputes Act. And so far as the welfare policy is concerned, my friend Mr. Dutta Mazumdar has already dealt with it at length and I would include one item only. I am referring to the grant of donation to one Calcutta Sailors' Home. Although the amount is only Rs. 960 I think I will be failing in my duty to the workers whom I represent in this House if I do not point out to you, Sir, that this grant to the Calcutta Sailors' Home does not include any grant even to the extent of a pie to any Indian Seaman and I speak, subject to correction, Sir, that so far as I am aware there is no such thing as the Calcutta Sailors' Home. There is a Marine Club mainly built up with Indian money only for dances and recreation of the foreign seamen visiting this port. Although I am not against affording facilities to foreign seamen visiting this port for recreation, at the same time I cannot but protest that while the seaman of this land should go without any sort of recreative or other facilities, sums should be paid by Government to the institutions which do not include Indian seamen and not only do not include but even forbid entry of Indian seamen. I maintain, Sir, that in the local Marine Club Indian seamen are not allowed and it is exclusively meant for European seamen. So long as this sort of discrimination goes on, so far as the seamen of this province are concerned, they cannot but protest against this one-sided affair and it is surprising that the Government of Bengal should also become a party to this thing which in the opinion of seamen of this Port is an unholy affair.

Now coming to the grant for labour welfare organisation, as my friend Mr. Dutta Mazumdar has said, it is honestly our fear that this money is being meant for the organisations which are being run in the name of labour, although they are made to suppress strike activities. I submit, Sir, if any impartial tribunal is appointed by this House or any other authority it will establish beyond doubt that there are organisations in Bengal to-day whose main functions are to break the strikes, weaken trade unions and all those organisations. I do maintain and I maintain with a full sense of responsibility that they are drawing their inspiration from the Hon'ble Minister for Labour.

**Mr. T. B. NIMMO:** Mr. Speaker, Sir, the hon'ble member in moving this motion has expressed himself with a vehemence—and sometimes with an aggressiveness—that I envy but shall not attempt to emulate. I would, however, like to say a few words on behalf of labour from a somewhat different angle of approach. Speaking on behalf of the constituency that I have the honour to represent,—the Indian Jute Mills' Association—I shall refer briefly to unions, and other labour matters as they affect the jute mill industry. In the past jute mill labour unions in Bengal have not begun—nor are they yet—effectively organised. Recently a number of unions sprung into

existence. A few of these represent little or nothing more than the persons who fill the offices and their main evidence of reality is their note paper headings. These unions serve as a means of providing a livelihood for their officials who for a small fee write the employers representing the petty grievances of individual workers who are usually not members of such unions. Other unions came into prominence during the recent strikes and these have been given wide publicity as a political platform for the persons who engineered the strikes.

Sir, I shall briefly define the attitude of jute mill employers towards labour unions. They are prepared to recognise any trade union which has been registered and has been in active existence for sufficient time to justify such recognition. The unions, however, must conform to the model rules recently laid down by Government and must also represent a substantial number of persons whom they claim to represent and be conducted on sound trade union principles which merit recognition. These conditions would ensure that the employers would have genuine unions to deal with, and the employees would not be exploited by institutions of mushroom growth.

I feel I have the support of the House, Sir, in saying that in asking for these conditions the employers are looking after the interests of the workers themselves. As it is the policy of Government it is the policy of the Indian Jute Mills' Association to encourage the establishment of responsible trade unions and their development along healthy trade union lines. As my friend Mr. Cooper pointed out in the speech he made in this House the other day it is in the interests of employers to work with labour, and the establishment of healthy trade unions would be a step towards bringing them closer together. Sir, to give security of service to workers has always been the aim of the jute mill employers and I need not stress the fact that continuous service with one employer means greater efficiency.

Maternity benefits are already paid to workers in jute mills and have been for some considerable time. As the House is aware a Bill dealing with this subject will shortly be placed before it for consideration. Health and unemployment insurance, together with annual holidays with pay are items which have yet to be dealt with in highly industrialised countries and it will, I suggest, Sir, take some time before India can possibly think of dealing with them.

A Labour Officer has been appointed by Government and I may say that a scheme for the appointment of labour officers is now under consideration by the jute mills, the object of which is to create a satisfactory liaison with the Government Department concerned.

In conclusion, Sir, I submit that employers and employees are not antagonistic to one another; they are inter-dependent and it is the duty

of each to assist the other. The Hon'ble the Labour Minister has on several occasions outlined his general policy towards labour and in pursuing that policy I wish to assure him through you, Sir, that he can count on the support and co-operation of employers in any reasonable measures advanced for the benefit of jute mill labour.

In these few words, Sir, I beg to oppose the motion.

**Mr. DEBI PRASAD KHAITAN:** Mr. Speaker, Sir, I wish to make a few remarks on this question which has come up for a second time before this House in one single session. On the last occasion when a debate arose on this question, I pointed out that the employers of labour in this country are even more anxious to confer real benefits on the workers than the labour leaders themselves. Sir, if the history of the Labour Welfare Movement be investigated in India it will be found that benefits have really been conferred on workers not as the result of strikes but on account of the voluntary action of the employers themselves. All the dispensaries and hospitals that have been established in various mills, whether in Bengal or in other provinces of India, the schools whether day or night schools that have been established for the education of the children of the workers, the maternity benefit schemes that have been put into vogue and many other measures which will be too lengthy for me to detail in the course of this debate, have all come about as the voluntary action of the employers and not a single one of them has come about as the result of a strike. (Hear, hear.) What the strikes have succeeded in doing, Sir, has been to force the workers to lose their wages for the period they were on strike, to force the workers to borrow money at high rates of interest which it has taken many many months for the workers to pay back. I wish to know, Sir, what benefits the workers have really got as the result of many of the strikes that have been brought about in this country. (A VOICE: Change of mentality.) My friend says change of mentality but that change of mentality does not come about as the result of the strike; the mentality comes from within. It is both to keep the labour contented and it is also out of a spirit of humanity everyone possesses. Surely the change of mentality has not come about as the result of the strikes. Sir, my friend has shouted "change of mentality" as the result of the strikes. I ask him whether he has at any time been an employer of labour or a worker in any of the mills. He has never been either. He is talking from imagination; he is talking from guess; and he is not speaking from concrete facts or from correct information. But I can speak—

**Mr. SYED JALALUDDIN HASHEMI:** Sir, may I rise on a point of personal explanation? (Cries of "No, no" from the Coalition benches.)

**MR. SPEAKER:** Mr. Hashemy, you should not take up the time of the House at this stage by rising on a point of personal explanation. What is it though?

**MR. SYED JALALUDDIN HASHEMY:** Sir, my point is that the mentality of the labourers or of the mill-owners has changed—

**MR. SPEAKER:** Mr. Hashemy, order, order. It is not an explanation.

**MR. SYED JALALUDDIN HASHEMY:** Sir, I have not been allowed to complete my explanation—

**MR. SPEAKER:** Mr. Hashemy, if you had a substantial point of explanation, I would have allowed you to proceed. What is your personal explanation?

**MR. SYED JALALUDDIN HASHEMY:** Sir, I do not like to say anything more.

**MR. SPEAKER:** Mr. Hashemy, I am sorry that when I asked you to make your explanation, you said that you did not like to say anything more. You have thus wasted the time of the House and persisted in obstructing the proceedings. You started speaking about the change in the mentality of the workers and of the mill-owners and I said that it was not a point of personal explanation. You know that your statement should be confined to a point of personal explanation and should not give occasion to a debate for the purpose of contradicting a statement. By your refusing to give your personal explanation you have shown want of respect on your part to the Speaker.

**MR. DEBI PROSAD KHAITAN:** Sir, I am not surprised at all at the interruption that has been caused by friend, the labour leader—Mr. Hashemy: he has only betrayed the mentality which the so-called labour leaders in this country possess to disturb by interruption the peaceful atmosphere. The change of mentality which has been caused to the workers is the amount of loss in their wages owing to the strike and also the amount of loss that change has caused to the employers and thereby delayed the conferring of benefits on the workers themselves. I am talking from emotion simply because I feel for the workers themselves. (A VOICE: Question.) Sir, the labourers are my countrymen and I also want to confer benefits on them, no matter whether my friend questions it or not. I should like to take my friends to my factories and show them the amount of benefits that we have conferred on them not only in and around Calcutta but also in other places like Delhi, Gwalior, Okara. Let them see for themselves what amount of benefits we have conferred on the workers not as the result

of labour agitation but because of a spontaneous move on our part, because we feel for the workers, because we are not devoid of humane instincts. But, Sir, when it is wanted that the capitalists should ruin themselves and when impossible conditions are sought to be imposed upon them, I would say to my labour friends that they are trying to do a great harm to my country. Whether they believe it or not, but it is a fact that the real prosperity of a country depends upon the development of industries. Do they expect that the development would come from such strikes as we had recently in the vicinity of Calcutta—(Mr. Syed Jalaluddin Hashemy: Question.)

**MR. SPEAKER:** Mr. Hashemy, I have repeatedly said that constant interruptions are not permitted.

**MR. SYED JALALUDDIN HASHEMY:** Sir, I submit that Mr. Khaitan has been referring to me all along.

**MR. SPEAKER:** Mr. Hashemy, Mr. Khaitan may have referred to you but by no convention it is permissible for constant interruptions being made: you have been doing it for the last 5 minutes.

**MR. DEBI PRASAD KHAITAN:** Sir, my friend, Mr. Hashemy, is again guilty of too much vanity, as it was only once that I referred to him. It is not a fact that I have referred to him all along, because when he disturbed me I was going to refer to the Premier, Mr. Fazlul Huq. Sir, in a recent answer he gave to a question about the spread of education among the workers, he lightheartedly said that the district boards had been requested to approach the employers for the establishment of schools. Sir, it is quite true that the employers have established schools; they have established high schools, middle English schools, upper primary schools and a large number of schools which are called night schools for the education of the workers themselves. But, Sir, is it the primary duty of the Education Minister or is it the primary duty of the employers to spread education amongst the workers? I submit with all the force at my command that it is the primary duty of the Government—

(The member having reached the time-limit, resumed his seat.)

**MR. NITARENDU DATTA MAJUMDAR:** Sir, may I rise on a point of personal explanation? I represent labour and I do not work in a factory. As a representative of labour, I find that the labour is being deceived and cheated out of the product of its own toil, and that is why I am out to stop labour being deceived and cheated out of the product of its own toil by mill-owners like Mr. Khaitan and his tribe.

**MR. SPEAKER:** I have just received a *chit* and I received another a few minutes ago. Unfortunately, so far as I am concerned even if I had received these *chits* earlier, I doubt whether it is possible for me to help in the matter. The Opposition desires that sometime at least should be left for discussion of the Land Revenue Commission demand. It is a matter which, if time is left after the discussion is closed on the matter before the House, with the concurrence of the Leader of the House and of the Leader of the Opposition, I shall be personally glad to concede.

**MR. J. C. GUPTA:** Sir, the Leader of the Opposition has already spoken on the matter. As is well known, it is a well recognised privilege of the Opposition to regulate the time, but we are entirely in the hands of the Speaker. If the Opposition desires to allow at least 15 minutes to this important question and the new provision that is made in the budget is thought important, then you, Sir, could end this debate and give us at least sometime, but, as I have said, we are entirely in your hands.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I would not have intervened but for the fact that Mr. Dutta Majumdar has threatened to throw me bodily into the Ganges.

**MR. NIHARENDU DUTTA MAJUMDAR:** Sir, I did not threaten to throw the Hon'ble Chief Minister into the Ganges but his constituents at Patuakhali will throw him into the river there for his broken pledges.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** At any rate, Sir, I understand that the Hon'ble Minister for Labour has got to make a statement and I think that he should get the fullest opportunity of doing so. If, however, any time is left after that I do not object to the other matter being taken up.

**MR. SHIBNATH BANERJEE:** Sir, in supporting the motion of Mr. Dutta Majumdar I would like to mention something which he had no time to do. The Hon'ble Minister for Labour delivered a speech some time back in 1934 and I would, with your permission, Sir, read an extract from that speech. This is what he said: "And if any police officer has conceived it his duty to help the employers, as he well might in the absence of any declaration by Government, then woe to the labourer. I have known of an instance when erstwhile *budmashes* and bad characters became the pillars of law and order, because they broke strikes, where diaries and reports were sent to the Police Magistrate by the police; where proceedings under section 107 were ostensibly drawn against both parties but the Magistrate for reasons unknown but

sufficiently apparent, elected to proceed and bind down the labour party and declined to proceed against the other; where even after being bound down all those who were prepared to stand surety were threatened and bullied."

Mr. Speaker, the Hon'ble Minister while speaking the other day had the last word on that occasion. He boasted here that the strike had practically broken down and it was out of sheer kindness for the labour leaders that the Hon'ble Minister gave the assurance only to save the leaders' faces. Sir, I want to declare on the floor of the House that if after issuing orders under section 144, stopping meetings and demonstrations, restraining labour leaders from going to their constituencies and by shooting Kalu Sheikh a boy of 16 and Sher Ali a boy of 10 and by repeated *lathi* charges on the strikers, the strike had been broken, it does not surely lie in the Hon'ble Minister's mouth to say that the strike had practically broken down. He said that he gave the assurances to save the face of the leaders. Sir, we accuse the Hon'ble Mr. Suhrawardy and the Chief Minister and all those concerned in the matter of having succeeded in breaking the strike by using the methods I have mentioned; and if they did not succeed they would not have been so solicitous of withdrawing the orders issued under section 144.

Sir, the other day the Hon'ble Minister for Labour asked for constructive suggestions. Considering the way in which they have broken these pledges, the only constructive suggestion that I have to offer is that they should honour their own assurances.

My friend, Mr. Khaitan, says that the function of the labour leaders is to break the peace or to disturb the peace. Sir, we plead guilty to the charge. There is peaceful work going on in the jute mills. What does that peace mean? It means that the peace is pushing gradually the workers into death—absolute silence and we feel it our duty to stop the employers in this process.

Sir, we have to break people like Mr. Khaitan and other members here. We are making this declaration knowing fully well the position in the country; we have made this declaration in every park and street corner. It was only yesterday that there was a meeting of 30,000 to 40,000 men about 200 yards away from this place and at that meeting we made this declaration openly without any hesitation that it is our duty to break the peace which is killing our people, the workers.

**Dr. NALINAKSHA SANYAL:** Sir, I beg to move that the question be now put.

**Mr. SPEAKER:** I would have been very glad to accept the closure at this stage but I think it is only fair that the Hon'ble Mr. Suhrawardy should be given an opportunity of speaking.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Sir, in view of the virulent attack made on me, may I be allowed to have my say?

**Mr. SPEAKER:** I shall be quite prepared to accept the closure motion in the midst of the Hon'ble Mr. Suhrawardy's speech. So after the Hon'ble Mr. Suhrawardy has spoken for 7 minutes I would put the closure motion.

**Maulvi ABDUL BARI:** Sir, will this side of the House be given the right to say something on the matter?

**Mr. SPEAKER:** Considering the way the debate has gone on, it had better be confined to that side of the House. I am sure the House will realise it.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Mr. Speaker, Sir, I am sure that the House has listened with a great deal of mortification, if not of disappointment, to the speeches that have been delivered on the labour question by the so-called labour representatives of the 42,000 deluded workers. (Mr. Shibnath Banerjee: Come and "delude" them. You resign and seek election through this constituency.) One would have expected that after the speech which I made on the last occasion, these gentlemen—

**Mr. SARAT CHANDRA BOSE:** On a point of order, Sir. Is it Parliamentary to describe members of this House who have been returned from Labour constituencies as "so called" labour representatives?

**Mr. SPEAKER:** I am very sorry I did not hear Mr. Suhrawardy at that moment. But I think that so long as members of this House have been returned through labour constituencies, it is not desirable that they should be called "so-called" labour representatives.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Well Sir, if they are not so-called labour representatives—being representatives of labour—they are so-called labour leaders, and one would have expected a certain amount of constructive suggestion from them after the speech which I had the privilege of making, on the floor of this House on the last occasion. All that we have heard to-day is one so-called constructive suggestion which, however, the House will appraise for itself, viz., that the Ministers should honour their pledges. This is, Sir, all that they know with regard to conditions of labour, and what should be done in connexion with labour welfare. If I may presume to say, Sir, the surfeit of ignorance, the complete lack of knowledge of Labour conditions, which has been shown by our comrades has come to some

of us as a great surprise. Hitherto, I believe, members of this House have considered labour matters, which concern the lives of so many hundreds and thousands of our poorer brethren, to be a complicated and mysterious issue, but now I am perfectly certain that each one will and can claim to be as well-equipped a labour leader as the gentlemen who have been returned from labour constituencies. Apart from the angry and loud complaints, inspired by revolutionary ardour, that have been uttered by Mr. Niharendu Dutta Mazumdar, who seems to have read practically all the literature on the subject of exploitation of Labour, we have not heard anything which may guide the House into taking a course of action for the welfare of Labour. I think, Sir, constructive action, or a real desire to help Labour, calls for something other than inflammatory and obstructive speeches; and the sooner my good friends accept the offer which I have made several times, viz., the offer of co-operation, the sooner they turn over a new leaf and take to the path of legitimate trade unionism—the better it would be for their own position in Labour circles and for the welfare of Labour. However, Sir, I do not wish to press this point further. I would like, Sir, as a constructive suggestion, to give the trade-unionists an idea—the ideal of service. To my good friends the Comrades a trade-union is nothing else but an organization of dissatisfied workers who revel in class hatred, in class warfare and revolutionary ideas, and whose sole aim is to combine together for the purpose of placing before employers' demands which cannot possibly be conceded. To them a trade union is not a body of workers pressing the legitimate demands of the workers before the employers in a spirit of "collaboration" and "co-operation" which I use as a legitimate function of trade-unions have been used by no less a Government—the greater a socialist Government—than that of France itself. But that is an idea and that is an ideal which my friends, my Comrades, cannot understand here. For them labours must always sacrifice themselves for the benefit of so-called Labour leaders; for them labourers must strike, must take upon themselves the burden of starvation, and misery and death, provided that a body is created which can go on giving subscriptions to the unions of so-called Labour leaders.

**DR. NALINAKSHA SANYAL:** May I now move, Sir, that the question be now put?

**MR. SPEAKER:** I said that I would take the opinion of the House if a demand for closure was made during the speech. May I, therefore, request members who are for the closure motion to rise in their seats as well as those who are against the motion?

(A count was taken, and it was seen that those who were against the motion were larger in number than those who were for it.)

The closure motion is not accepted by the House and therefore, the Hon'ble Minister may continue his speech.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Sir, on behalf of Government I made no vain promises. As I said before, we are out to give Labour a fair deal, but it must be done in a proper and systematic manner. We have not come here to introduce a socialistic or a communistic regime. We are here to carry on a definite programme for the welfare of Labour. My friend, Mr. Niharendu Dutta Mazumdar, read out from a speech which I delivered in 1934, regarding Communism. I still adhere to the principles which I laid down in that speech and also to the views which I expressed there and I still feel that Communism is public enemy No. 1 of the social and economic structure! (Dr. Nalinaksha Sanyal: New learning!) So long as I happen to administer the portfolio of Labour, so long as I am in partnership with my Chief Minister on this side of the House, so long shall I use my fullest endeavour to break the evil of Communism which my friends are propagating with so much vigour (Dr. Nalinaksha Sanyal: And also communalism?) (Mr. J. C. Gupta: Well, but do not create a bogey.) Well, I am not going to make a bogey out of it. I do not think, Sir, that Communism as such is understood very well in Labour circles; to-day it is nothing less but hatred and restlessness, with which Labour has been permeated. You will note, Sir, that in order to introduce Communism the first step taken by Labour leaders is to keep Labour always restless and in a state of ferment. Mr. Sibnath Banerji has admitted that that is the policy which he is adopting to-day.

Now, Sir, when I had first the honour of enunciating the policy of Government, since then we have taken up various activities on behalf of Government. We have started a consistent policy for the welfare of Labour, partly by legislative interference and partly by inducing employers to adopt ameliorative measures. In pursuit of this policy of Labour welfare, I am examining the condition of living and of work in every department. I have, Sir, started investigating as to how to tackle the problem of housing. If employers can be induced to give more and better houses for labourers, we should welcome it. Otherwise, it ought to be the duty of public organizations and even of trade unions of which my good friends talk but of which they know little to take up this matter. As I have said, trade unions can do a good deal of Labour welfare work. And at a suitable opportunity I shall be able to place before my good friends, those who may like to know and those who do not know, for I know that they are so bankrupt in ideas—I shall place before them a catalogue of welfare work that the trade unions can perform, apart from mere organization of Labour for purposes of strike. I have asked that model plans of

houses be prepared and of houses that will be cheaper than those that the employers have hitherto raised—which will be better and more sanitary. I am glad to accept the offer of Mr. Nimmo, which he has submitted on behalf of the employers, viz., the offer of co-operation with Government in the amelioration of the conditions of Labour. I may inform him that it is not likely that Government will be unreasonable. I know that in order that the welfare of Labour may be expedited, the best way to do it is to capture the sympathies of the employers in regard to Labour welfare. You cannot get anything out of them by fighting them. You must remember that anything you can get out of them for ameliorating the condition of Labour will be a burden upon the employers. (Dr. Nalinaksha Sanyal: Read History again.) Many members on the other side of the House have tabled several motions some of which have not been moved, to the effect that the pay of the workers should be increased. I give it merely as an example, and not in opposition to them, inasmuch as they have not been moved, that the lowest pay of the workers should be Rs. 30 a month. Sir, what is it that my friends want? Do they want that industrial enterprise should cease in Bengal? If this pay was forced down the throats of the employers in Bengal, the result will be that every one of them will have to close their business and migrate to other provinces with their industries. Do they want that? Will that be at all profitable to the Labour leaders?

**Mr. SIBNATH BANERJEE:** I may say for the information of the Hon'ble Minister that such proposals are being made also in other provinces.

**Mr. AFTAB ALI:** On a point of order, Sir. Does the Hon'ble Minister mean that Labour leaders live on the subscriptions of workers?

**Mr. SPEAKER:** I do not know whether Mr. Suhrawardy has referred to any member of this House in those terms. If he has, he must withdraw that expression.

**The Hon'ble Mr. H. S. SUHRAWARDY:** Sir, I think that my friends, Mr. Banerjee and Mr. Aftab Ali represent Labour only and not Labour leaders, and they need not be so touchy about any reference to Labour leaders.

**Mr. AFTAB ALI:** Certainly we do represent Labour leaders.

**Mr. SPEAKER:** If Mr. Suhrawardy has referred to Labour leaders of this House in those terms, then he should withdraw his remarks unequivocally.

**The Hon'ble Mr. H. S. SUHRAWARDY:** I do so, Sir. I did not mean any offence to any friends over there, for I really think that they are so-called Labour leaders, because the real Labour leaders are those who are outside.

**Mr. NIHARENDU DUTTA MAZUMDAR:** If we are "so-called" Labour leaders, then Mr. Suhrawardy, too, is the so-called Labour Minister, or rather a Labour Minister belabouring Labour!

**The Hon'ble Mr. H. S. SUHRAWARDY:** I have introduced, Sir, measures and schemes in order that labourers may benefit by cheap marketing. I have initiated and I am working out schemes for the relief of their indebtedness and for providing them with better medical facilities. (Mr. Sibnath Baherjee: Just one thing. What about past dismissals?) I am asking the employers that, where factory creches do not exist, they should be established; I am asking the employers to see that water is supplied in abundance, to make adequate sanitary and hygienic arrangements as well as for educational facilities for labourers and their children. It is true that this is one of the burdens which Government themselves ought to bear, but at the same time I think I should not be prepared to allow Mr. Khaitan to shirk the responsibility which the employers also have in regard to education, and I am glad to say that many employers recognize this responsibility and are subsidizing educational institutions.

Sir, there is very little time left for me; otherwise, I would have been able to put forward a larger catalogue of items of Labour welfare, every single one of which the Government are now examining, but to none of which any one of my good friends has referred. I shall only point out before I sit down a mistake made by Mr. Aftab Ali—

**Dr. NALINAKSHA SANYAL:** Mr. Speaker, Sir, may I draw your attention to the clock? It is just 6-30, and all business must end now under section 118(4) of the Assembly Rules and Standing Orders.

**The Hon'ble Mr. H. S. SUHRAWARDY:** If my friends would turn to page 324 of the Brown Book, they would find that money has been provided for the administration of the Trade Disputes Act—

**Mr. SPEAKER:** I must say that the "guillotine" time has been reached, and now I shall have to put all the motions to vote. I think it will be convenient to do so after adjournment and put all the motions to vote one after another.

The Assembly now stands adjourned for 15 minutes for prayer.

At this stage the House was adjourned for 15 minutes.

(After adjournment.)

The motion of Mr. Niharendu Dutta Mazumdar that the demand of Rs. 27,07,000 for expenditure under the head "57—Miscellaneous" be reduced by Rs. 100 being put, a division was taken with the following result:—

## YES.

Abdul Hakim, Maulvi.  
 Abdul Majid, Maulvi.  
 Abdul Wahed, Maulvi.  
 Abu Hossain Sarker, Maulvi.  
 Abdul Fazal, Mr. Md.  
 Attab Ali, Mr.  
 Ahmed Khan, Mr. Syed.  
 Banerjee, Mr. P.  
 Banerjee, Mr. Pramatha Nath.  
 Banerjee, Mr. Sibnath.  
 Banerji, Mr. Patya Priya.  
 Bannerjee, Mr. Manoranjan.  
 Cossu, Mr. Santosh Kumar.  
 Bhawmik, Dr. Gobinda Chandra.  
 Biswas, Mr. Rasik Lal.  
 Biswas, Mr. Surendra Nath.  
 Bose, Mr. Sayat Chandra.  
 Chakrabarty, Babu Narendra Narayan.  
 Chattopadhyay, Mr. Haripada.  
 Das, Babu Mahim Chandra.  
 Das, Babu Radhanath.  
 Das Gupta, Babu Klagendra Nath.  
 Dutta, Mr. Dharendra Nath.  
 Dutta, Mr. Sukumar.  
 Dutta Gupta, Mr. Mira.  
 Dutta Mazumdar, Mr. Niharendu.  
 Emdadul Haque, Kazi.  
 Ghose, Mr. Atul Krishna.  
 Glasuddin Ahmed, Mr.  
 Gupta, Mr. Jogesh Chandra.  
 Hasan Ali Chowdhury, Mr. Syed.  
 Jalaluddin Hashemiy, Mr. Syed.

Jonab Ali Majumdar, Maulvi.  
 Khan, Mr. Debendra Lal.  
 Kuper, Mr. Atul Chandra.  
 Kundu, Mr. Nishitha Nath.  
 Maiti, Mr. Nikunja Beha-l.  
 Maitra, Mr. Surendra Mohan.  
 Maji, Adwaita Kumar.  
 Majumdar, Mrs. Hemaprova.  
 Mazumdar, Mr. Debendra Nath.  
 Mal, Mr. Iswar Chandra.  
 Maniruzzaman Islamabadi, Maulana Md.  
 Maqbul Hossain, Mr.  
 Mukerji, Mr. Dharendra Narayan.  
 Mukherjee, Mr. B.  
 Mukherji, Dr. Sharat Chandra.  
 Mullick, Srijut Ashutosh.  
 Pain, Mr. Barada Prasanna.  
 Pramanik, Mr. Tarinicharan.  
 Ramizuddin Ahmed, Mr.  
 Roy, Mr. Charu Chandra.  
 Roy, Mr. Kamal Krishna.  
 Roy, Mr. Kiran Sankar.  
 Roy, Mr. Kishori Pati.  
 Roy, Mr. Manmatha Nath.  
 Sanyal, Dr. Nalinaksha.  
 Sen, Babu Nagendra Nath.  
 Shahedali, Mr.  
 Shamsuddin Ahmed, Mr. M.  
 Sinha, Srijut Manindra Bhushan.  
 Sur, Mr. Harendra Kumar.  
 Yousuf Mirza.  
 Zaman, Mr. A. M. A.

## NOES.

Abdul Bari, Maulvi.  
 Abdul Hake, Mr. Mirza.  
 Abdul Haksem, Mr.  
 Abdul Hamid, Mr. A. M.  
 Abdul Jabbar, Maulvi.  
 Abdul Kader, Mr.  
 Abdul Latif Biswas, Maulvi.  
 Abdul Majid, Mr. Syed.  
 Abdul Wahab Khan, Mr.  
 Abdulla-al Mahmood, Mr.  
 Abdul Razzaq, Khan Bahadur, A. F. M.  
 Abdul Rehman Siddiqi, Mr.  
 Adyar Rasheed Mahmood, Mr.  
 Abdul Rasheed, Maulvi Md.  
 Abdul Razi, Khan Sahib Maulvi S.  
 Abdul Razi, Mr. Shah.  
 Abdul Razzak, Maulvi.  
 Abbas Shahood, Maulvi Md.  
 Abidur Raza Chowdhury, Khan Bahadur.

Abul Hakim, Maulvi.  
 Abul Hossain, Mr. Ahmed.  
 Abul Quasem, Maulvi.  
 Attab Hossain Joradar, Maulvi.  
 Ahmed Ali, Khan Sahib Maulana Enayturi.  
 Ahmed Hossain, Mr.  
 Afrazuddin Ahmed, Khan Bahadur.  
 Amjunnah, Maulvi.  
 Amir Ali, Md. M.L.  
 Armstrong, Mr. W. L.  
 Ashrafali, Mr. M.  
 Aulad Hossain Khan, Maulvi.  
 Bannerman, Mr. H. G.  
 Barot Ali, Mr. Md.  
 Barma, Baky Premhari.  
 Barma, Mr. Puspajit.  
 Barman, Babu Shyama Prasad.  
 Biswas, Babu Lakshmi Narayan.  
 Brashor, Mr. F. G.

Campbell, Sir George, Kt.  
 Clark, Mr. I. A.  
 Cooper, Mr. G. G.  
 Crossfield, Mr. L. M.  
 Das, Mr. Anukul Chandra.  
 Das, Mr. Monmohan.  
 Dass, Babu Debendra Nath.  
 Farhad Raza Chowdhury, Mr. M.  
 Farhut Bano Khanam, Begum.  
 Fazlul Huq, the Hon'ble Mr. A. K.  
 Fazlul Quadir, Khan Bahadur Maulvi.  
 Gammeter, Mr. E. O.  
 Golam Sarwar Hossain, Mr. Shah Syed.  
 Griffiths, Mr. G.  
 Habibullah, the Hon'ble Nawab Bahadur K., of  
 Dacca.  
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The Ayes being 64 and Noes 121 the motion was lost.

The motion of Mr. Aftab Ali that the demand of a sum of Rs. 5,01,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100 (Administration of the Trade Disputes Act) was put and lost.

The motion of the Hon'ble Mr. Nalini Ranjan Sarker that a sum of Rs. 27,07,000 be granted for expenditure under the head "57—Miscellaneous" was put and carried.

The motion of the Hon'ble Mr. Nalini Ranjan Sarker that a sum of Rs. 22,63,000 be granted for expenditure under the head "56—Stationery and Printing and Depreciation Reserve Fund—Government Presses" was put and carried.

The motion of the Hon'ble Mr. H. S. Suhrawardy that a sum of Rs. 3,85,000 be granted for expenditure under the head "30—Ports and Pilotage" was put and carried.

The motion of the Hon'ble Mr. H. S. Suhrawardy that a sum of Rs. 5,01,000 be granted for expenditure under the head "47—Miscellaneous Departments" was put and carried.

*"9—Stamps."*

**The Hon'ble Sir BIJOY PRASAD SINGH ROY:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 5,35,000 be granted for expenditure under the head "9—Stamps".

The motion was put and carried.

*"22—Interest on debt and other obligations."*

**The Hon'ble Mr. NALINI RANJAN SARKER:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,000 be granted for expenditure under the head "22—Interest on debt and other obligations".

The motion was put and carried.

*"83—Payment of commuted value of pensions."*

**The Hon'ble Mr. NALINI RANJAN SARKER:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 72,55,000 be granted for expenditure under the heads "55—Superannuation allowances and pensions" and "83—Payment of commuted value of pensions".

The motion was put and carried.

*"Interest free advances."*

**The Hon'ble Mr. NALINI RANJAN SARKER:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 3,34,000 be granted for expenditure under the head "Interest free advances".

The motion was put and carried.

*"Loans and advances bearing interest."*

**The Hon'ble Mr. NALINI RANJAN SARKER:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 24,74,000 be granted for expenditure under the head "Loans and advances bearing interest".

The motion was put and carried.

## 36—Scientific Departments.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 40,000 be granted for expenditure under the head "36—Scientific Departments".

The motion was put and carried.

**Mr. SPEAKER:** Before I bring the Budget debate to a close, I might just say a word or two with regard to the delay in answering questions on which members have been very insistent. I find that as many as 760 questions have been received in our department and up to 23rd August, 330 questions were sent by this Department to Government departments but up to 4th September I have received only 181 questions with answers from Government. There are still 149 questions, which had been admitted before 4th September, remaining unanswered. In addition, we sent to the Home Department *en bloc* 332 questions without examination, and there is now a total of 532 questions still undisposed of. I would specially draw the attention of the Hon'ble the Chief Minister to this delay and to the fact that unless there is some such arrangement by which questions may be answered more expeditiously, it would be difficult for members of this House to get answers to their questions.

**Dr. NALINAKSHA SANYAL:** Before you close to-day's debate, Sir, I would draw your attention to the fact that if you take a portion of the 8th September, on the question of having a Committee of Privileges, it would be doing a great injustice to the non-official members who have to move resolutions on that day. May I therefore submit that you would be pleased to allot, instead of the 8th September, any of the three days namely the 11th, 12th and 13th September, that have been allotted for Government business.

**Mr. SPEAKER:** I do not expect any lengthy debate on the question of the Committee of Privileges. What I would propose to do is to ask the leader of the House to move the resolution and the Leader of the Opposition and other party leaders to have their say before I put the motion to the House. I am glad to say that in this matter I have already had the assurances of the Hon'ble the Leader of the House and also of the Leader of the Opposition about the formation of such a Committee. I must also admit that this is a matter on which the opinion of the House is necessary. In consideration of that, I hope you would not take objection to the resolution being moved on the 8th September, but in case the matter takes a long time I will certainly consider your point.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** As regards questions that remain unanswered, I submit that a large number of them about 400 have had to be sent by your Department to Government departments without examination. I do not mean any reflection, Sir, but perhaps because those questions could not be enquired into, they are taking a lot of time.

**MR. SPEAKER:** But what about 152 questions already admitted by me? I would ask the House to wait a little for those questions which have not yet been examined, but so far as those 152 questions are concerned, I think the answer should have come by this time. Before I declare the Budget session to a close, I should say on behalf of the House that attempts may be made to answer questions within a reasonable time. I think it would be fair to all sections if a reasonable time intervenes between a question and its reply, but the House has the right to insist that the questions which have been admitted should be answered.

Before closing the debate, I must thank the Leader of the House and also the Leader of the Opposition and the members for the very cordial manner in which I have received help from all sections of the House. I must note that even though there have been occasions of regret once or twice I hope, that has not disturbed the harmony and good feeling that ought to exist and has existed amongst all sections of the House. The way in which you have helped me to carry the Budget session through has been very highly appreciated by me. The task is no less difficult on the part of the Speaker because it is for the first time under the new Reforms that a Budget discussion has been held. New conventions will have to be established, and I am grateful to all sections for the help they have given me in conducting the debate in a proper manner by which the future procedure in a Budget debate will be much simplified. It would be interesting to the House to know that 64 times the Ministers have had to rise in reply or in introducing motions as many as 205 speakers have participated in the debate. It was an exceedingly difficult task on my part. I hope the House will remember it and will help me in every possible manner in future. With these words, I thank you once more, ladies and gentlemen, for the cordial help which you have given me in conducting the business of the House.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Let the last words to be uttered by me in the House in the course of the Budget debate and in bringing the Budget to a close be words of sincere appreciation of the very cordial manner in which you have conducted the proceedings of the House and the ability with which you have regulated the work in this House.

**MR. SARAT CHANDRA BOSE:** May I associate myself with the Leader of the House in offering our sincere thanks to you for piloting

the Budget through. And in this connection I may say that it is a source of great gratification to us that the charge that we made against the Budget that it disclosed no policy or programme had been accepted by at least two members of the Treasury Benches. We have realised, and I think you have also realised, that 15 days is too short a time for the discussion of the Budget of this province, and I hope, Sir, that in the next Budget session you will help us in getting more time for the discussion of the Budget. Once more I thank you for the courtesy you have shown to all members of this House and particularly to the Opposition on whom devolved the onerous task of opposing the demands for grants which the Opposition felt were not consistent with the good of the people.

**Sir GEORGE CAMPBELL:** May I also, as the Leader of the European group in this House, join the Leader of the House and the Leader of the Opposition in offering our appreciation of the manner in which you have so ably conducted the business of this House in its first session.

**The Hon'ble Mr. NALINI RANJAN SARKER:** I want to associate myself with the sentiments expressed by the Hon'ble Chief Minister. I want also to thank you and the House for passing the Budget. The Leader of the Opposition had said even at the last stage that there was no policy behind the Budget, but I would like to point out that in spite of his strenuous opposition, the demands for grants have been accepted by the House without a cut even of one rupee, and my thanks are all the more due to the House for having passed the Budget in this way in spite of such opposition.

#### Adjournment.

The House was then adjourned till 3.45 p.m. on Wednesday, the 8th September, 1937, at the Assembly House, Calcutta.



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